

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held February 6, 2014,
2 5:30 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake Mary,
3 Florida.

4
5 Mayor David Mealor Jackie Sova, City Manager
6 Commissioner Gary Brender Carol Foster, City Clerk
7 Commissioner George Duryea – Arrived Late Dianne Holloway, Finance Director
8 Commissioner Allan Plank John Omana, Community Dev. Dir.
9 Deputy Mayor Jo Ann Lucarelli Gary Schindler, City Planner
10 Steve Noto, Senior Planner
11 Tom Connelly, City Engineer
12 Bruce Paster, Public Works Director
13 Bryan Nipe, Parks & Recreation Director
14 Colin Morgan, Deputy Police Chief
15 Craig Haun, Fire Chief
16 Mary Campbell, Deputy City Clerk
17

18 The work session was called to order by Mayor David Mealor at 5:30 P.M.

19
20 Item for Discussion:

21
22 1. Proposed Country Club Traffic Circles
23

24 Ms. Sova said Mr. Omana and his team are going to present some updated information on the
25 traffic circles.
26

27 Mr. Omana said in 2013 staff presented details of the feasibility of providing traffic circles at
28 Wilbur and Crystal on Country Club Road. At that time the Commission directed to proceed with
29 final design of the two traffic circles. During this juncture we have been working with CPH and
30 staff including the fire department, police department and public works to provide commentary
31 and guidance on this matter. We have reached an interesting juncture and staff has prepared a
32 number of exhibits that will help identify some of the bumps in the road regarding this project.
33

34 Commissioner Duryea arrived at this time (5:35 P.M.).
35

36 Mr. Omana said Mr. Jeremy Owens with CPH was present and has been the lead engineer on
37 this program and he helped us identify the two issues in the memo. There are two policy issues
38 we would like to get direction from the City Commission on. The first is what to do with right-of-
39 way encroachments on Country Club since the road is ours now. In the preliminary layout we
40 have had some instances where a building and parking area have encroached. He pointed out
41 Country Club Road, Wilbur, Crystal and the Sjoblom building on the overhead. They have done
42 some template work. To the issue of encroachment we have taken that sheet and done some
43 highlighting. The lines that are yellow represent right-of-way, the lines in green represent
44 preliminary design showing the curb area that CPH outlined, and the red lines represent
45 encroachment in the rights-of-way. The awning on the Sjoblom building is in our right-of-way.
46 On Country Club there is a salon and smaller office building and the parking is in the right-of-

1 way. The question becomes what do we do about those encroachments into the right-of-way.
2 He said he would go into what the ramifications are if we don't address these issues. He said
3 Mr. Owens was present to give some engineering technical stuff.
4

5 Mr. Omana focused on the issue of the encroachment by the awning. The Commission had
6 given direction to proceed with design of a special traffic signal that would accommodate
7 emergency vehicles from the fire department as they came out of station 33 and the police
8 department and headed towards Country Club Road. The awning in place blocks and hampers
9 the geometry for placement. All those special signals would have to go in the traffic circle. If we
10 are spending that kind of money on a traffic circle, he said the last thing he would like to see is
11 four or five specialized lights being the mainstay. We discussed how to alleviate the problem
12 and the solution was by getting rid of the awning. If we get rid of the awning it helps with the
13 geometry, line of sight, etc.
14

15 Mr. Omana said the second encroachment is nine parking spaces. That presents an interesting
16 scenario. If we go in with a traffic circle and maintain the curb up to where the red light is that
17 would maintain an unsafe situation because cars would be backing out into a traffic circle
18 movement. He would argue it's an unsafe movement now. The issue becomes how do we deal
19 with that type of encroachment. One solution would be to create an improved access to the
20 parking lot and get rid of the parking up front creating a curb that transitions along the right-of-
21 way. You would have your two lanes on the east side, you would have the curb extensions, and
22 that would help manage the disorganization with respect to the gas station. People pull in and
23 out of there as they please. Another solution would be extending the curb over and bringing it
24 back in to provide some kind of parallel parking scenario.
25

26 Mr. Omana said whatever direction is given, we are always of the mindset that whatever we do
27 we do not want to come back and tear it up later so this could be a transitional solution. In the
28 future when somebody buys this out who knows what's going in there and the treatment may be
29 different on Country Club depending on what those uses are. We would love to hear from you
30 on how we deal with the encroachments, what that cross section of Country Club could look like,
31 and what the Commission would want it to be. Would you want it to be a straight curb alignment
32 with the existing lanage transitioning into the two traffic circles and keeping it as simple as
33 possible pending eventual development of the existing parcels. He asked Mr. Owens to come
34 up and clarify anything he had presented.
35

36 Jeremy Owens, CPH Engineers, came forward.
37

38 Mayor Mealar said based on what Mr. Omana said and not having to retrofit or modify it, he
39 asked the Commission if they liked what they see as opposed to the other presentation.
40

41 Commissioner Duryea said it seemed to him it's not so much the awning but the building itself
42 is the problem. The other thing about the configuration here is he didn't know how we decided
43 to beautify the corridor. With that kind of 90-degree parking you not only conflict with the traffic
44 going south but conflict with the traffic going north. You would probably want to make it angled
45 parking.
46

1 Commissioner Duryea said since that parking is on the right-of-way they don't have any right to
2 be there.

3
4 Mr. Omana said that is an argument that could be made. The other argument that could be
5 made from the property owner is that it has been there for such a long time he has the right
6 under descriptive easements.

7
8 Commissioner Duryea said he didn't know how valid that is. He wondered if we said you have
9 to have adequate parking because we are improving the sidewalk here and let that ball go into
10 their court. There is space behind the building and nobody parks on the side as they should.

11
12 Mr. Omana said that could be an option.

13
14 Commissioner Brender said with parallel parking on that section by the salon that's not a turning
15 motion he wants to see. You have a traffic circle and people pulling out of parallel parking space
16 at the same time on a pretty short block. The most sensible thing is to do what we have to do in
17 the alley recognizing it's probably going to be employees parking in the alley. He didn't think the
18 parking spaces there were that big of a deal. As far as the building on Lakeview it gets more
19 interesting. He asked if they could take down the awnings or make them smaller without
20 encroaching in the right-of-way.

21
22 Mr. Owens said the building is a half foot from the right-of-way line.

23
24 Mayor Mealor said what they are saying is the previous rendering is not acceptable and we can
25 take it off the table.

26
27 Mr. Owens said the other issue is the awning. We discussed an emergency signal for the station
28 to be placed at those intersections. Per MBTC they require two signals per approach. One has
29 to be over the lane and one can be anywhere. There is a certain alignment where they go. One
30 of the options, which is not the preferred one, is four poles in the middle of that island with eight
31 heads pointing to each direction. It's going to look like a Christmas tree. The preferred alignment
32 is one on each corner. We have to have one that hangs over a portion of the lane so we could
33 do something that's not a true mast arm but something decorative that keeps it close to the lane.
34 That corner is the most restrictive we have. For over the middle of the lane if we had one
35 decorative-type fixture placed in the middle with one head in each direction it gets rid of my
36 requirement for over the lane and then you have the rest on the corners or we could leave all of
37 them on the corner. The awning is about 8-1/2 foot up and it overhangs. There are two issues.
38 One is for the pole. He said he would like to have the pole at the corner of that intersection at
39 the curve radius which is where the front door is. The second thing is with the curve radiuses
40 he tried to keep things as tight as he possibly could. We designed everything with DOT
41 standards. There is an offset behind the curve that still won't clear for vehicles to come. As it is
42 right now it does not meet the FDOT recommended clearance. Four foot is the clearance
43 requirement. With us adjusting the curve radius it gets closer. There are two issues with that
44 overhang and that is placement of the signal and clearance for trucks.

1 Mr. Owens said we took direction from the council and we have maximized as much as we
2 possibly could. We had a small circle which was the minimal and a larger one. Direction was
3 to maximize what we can and is what we have in place now. Country Club is not in the middle
4 of the right-of-way so creative solutions have to be done to get everything to fit. If we could have
5 it in the middle it would have been a perfect world.
6

7 Mr. Owen said after our meeting we started going over this alignment and some of these issues.
8 We were working toward updating cost estimates with conflicts with stuff we can see on paper
9 now which is a power pole needs to be relocated, fire hydrants, storm drains and things like that.
10 We are working with public works. We've got updated utility maps for the area. One of the
11 things we were discussing is Lakeview east of Country Club doesn't have sewer service and we
12 are looking into extending the sewer service down to the intersection and across so when
13 development happens on the north side of Lakeview we can have sewer capacity there.
14

15 Mayor Mealor said the issue is the awning/pole. Maybe when we put the pole in we do an
16 amenity to help the building owner. He said he would defer to the team.
17

18 Commissioner Brender said the awning has to be modified. We are restricted from doing any
19 type of improvements on private property. As far as the poles and lighting this is only going to
20 be emergency lights.
21

22 Mr. Owens said that was correct but Country Club will be flashing yellow and East Crystal will
23 be flashing red once police or fire trips the sensor.
24

25 Commissioner Brender said it is still a stop sign.
26

27 Mr. Owens answered affirmatively. Like was mentioned today it's a sight line issue from that
28 stop sign. The building obstructs your sight visibility and with the traffic circles it pushes that
29 stop bar farther back which decreases visibility and is why we left it a stop condition.
30

31 Commissioner Brender said his concern is about putting the pole in the middle is the fire truck
32 rounding the corner too close and we end up with a power pole in our fire truck.
33

34 Commissioner Plank asked if the problem was with the awning or the section at the corner.
35

36 Mr. Owens said it depends on the pole placement—there are three: (1) the setback from the
37 road itself. It has been hit a few times and doesn't meet standards. (2) placement of the pole in
38 the entrance to the building because their main entrance is at the corner that is the typical
39 placement for that pole. We could adjust it a little in front or back but that restricts what I can do.
40 If I added that corner I could project to the south and to the west. If I absolutely had to I could
41 go north and get three directions. The way the awning is now I can't go south and can't put a
42 pole up there with the awning no matter what. The only other option would be a full mast arm.
43

44 Commissioner Plank asked if we were restricted to the two issues in discussion of the traffic
45 circle. He said something that had been bothering him since we started this was the impact on
46 traffic flow. Our hope is they will go elsewhere when we put them in. He did a drive around and

1 the draw on Country Club is not so much with the road but with the traffic light to get them onto
2 Lake Mary Boulevard. The only other traffic light at this point is on Fourth. If they don't go away
3 he asked if we are prepared for them to start using East Lake Mary and Fourth Street to get to
4 the traffic light. He asked Jackie last year because he was curious about the volume coming
5 down Country Club. She pulled two studies which clearly showed it is a commuter connection
6 coming up 46A. He was also looking at traffic coming off Old Lake Mary Road. He asked if we
7 are prepared for the shift in traffic flow if they don't go away and start using our side streets and
8 come down Fourth.

9
10 Ms. Sova said we are in negotiations with the County for a traffic signal at Palmetto and Lake
11 Mary Boulevard. We are about to have the traffic warrant study done. That should stop some
12 of that traffic from Old Lake Mary Road coming to Country Club. We are getting ready to do
13 some markings on Country Club Road because we have problems with people heading south
14 swinging into the left lane too soon. They are to force the turn lanes to have them and stripes.
15 We are trying to do those things for more order on Country Club as well as providing relief with
16 that traffic signal on Palmetto.

17
18 Commissioner Plank said he wasn't as concerned about Palmetto because he thought traffic
19 from Wilbur would go in that direction. His concern was traffic from 46A.

20
21 Commissioner Brender asked about maneuvering Lakeview to the right-hand side of the right-
22 of-way.

23
24 Mr. Owens said the one that would get the best alignment would be to re-align Country Club
25 because that is where the separation issue is. When you get just north of Crystal there is only
26 about five feet between the back of curb and the right-of-way line when on the other side we
27 have almost 20.

28
29 Commissioner Brender asked if that block was long enough between Wilbur and Crystal to
30 maneuver a lane over.

31
32 Mr. Owens said with the southbound movement if you shifted the roadway you have the circles
33 that will help take up part of the transition. Once you get to Lakeview you have more asphalt
34 than just two lanes.

35
36 Commissioner Brender asked if that would solve the problem with the awnings.

37
38 Mr. Owens said if he could get at least six feet.

39
40 Mayor Mealor said we are going have some serious issues if we start right-of-way acquisition
41 when we have the right-of-way to begin with. He thought it would be worth our time to investigate
42 the cost of re-aligning Country Club up to the basketball courts so when you are entering the
43 City you pass the Events Center and you are coming into Downtown Lake Mary. We've got the
44 property across from the basketball courts and then open up Country Club to the west and create
45 that new road as we are building the traffic circles because we have the infrastructure to deal
46 with it. This might be the time to do this. We deal with the awning issue. Even if we modify the

1 awning structure we still have additional space beyond that. When we start talking to current
2 business owners about any kind of modification to their structure we are going to own whatever
3 costs that might be and this may be a way to minimize that impact.

4
5 Commissioner Brender said that makes sense. He said he was not in favor of allowing that
6 awning to continue to encroach into the right-of-way.

7
8 Mayor Mealor said if we take the traffic circle and shift it to the west and create additional space,
9 if the front awning comes out we remove that, create the pole and if we need to do an amenity
10 or entry feature that is an easy fix. When we get the light at Palmetto, he thought the traffic in
11 front of Commissioner Duryea's business would be minimized.

12
13 Mayor Mealor asked if there were any objections for staff to look into the cost of shifting Country
14 Club Road to the west. That deals with the issue of the parking because their only option would
15 be to use the parking lot that is there. There were no objections from the Board.

16
17 Mr. Omana said it would also address issue No. 2 in the staff report which addresses the ultimate
18 cross section.

19
20 Mr. Owens said he would put together a cost estimate.

21
22 Commissioner Plank asked if that would create a jog on Country Club.

23
24 Mr. Owens said he hasn't looked at it fully but you end up with a three-lane section when you
25 get to Lakeview. We have 36+ feet of asphalt. If the transition is already with the asphalt it's not
26 as much of a trouble transitioning over 6 feet as it is moving over 12 feet. I might be able to
27 make it work in that area. At the north end of Country Club since I'm already in a circle, where I
28 come out it doesn't matter as long as I still get traffic flow through it.

29
30 Commissioner Plank said we are not going to have a situation where somebody thinks there is
31 another lane and then find themselves blocked.

32
33 Mr. Owens said what he was hearing is pick up the road and move it over. He said if he could
34 get at least six feet he could get the poles to fit.

35
36 Ms. Sova said she had another item to add. She had previously sent some material about the
37 Penny Sales Tax the County is talking about and provided a copy of the results of the survey
38 (copy attached). On December 18, 2013, she met with the County Manager and he announced
39 they would move forward with the polling activities to measure the public's appetite for the
40 "renewed" one-cent sales tax. She discussed at that time her concerns about the distribution
41 formula for that money that had come up at a previous Mayors/Managers almost a year before.

42
43 Ms. Sova said on December 21, 2013, at Mayors/Managers the County came with the polling
44 results. They had already discussed a special election on May 20, 2014. At that meeting they
45 emphasized that this was a reauthorization of a previous sales tax and was not a new tax. They
46 indicated there was a population shift since 2001 and the distribution formula could move a little

1 bit because there is a portion of the formula that is population based. They set it out on a fast
2 track. The following week the County Commission passes a resolution that notices the
3 Supervisor of Elections that they have the intent for a special election. They sent the cities their
4 distribution methodology and is the packet she had forwarded to the commission in an e-mail.
5

6 Ms. Sova said the following week they had the public works directors meet and on the County's
7 priority list for major projects was six-laning Lake Mary Boulevard between Rinehart Road and
8 Country Club Road. Both of us raised flags with the County folks about that. We felt the
9 community would be concerned about that. We saw today where they have relaxed that position
10 and would be doing intersection improvements at Country Club, Longwood-Lake Mary and
11 Rinehart at about half the cost but that still is a vague commitment to us.
12

13 Mayor Mealor said he was elected Chairman of the Mayors/Managers group and the first thing
14 he did was speak with the County Chairman and expressed his grave concern that something
15 as sensitive as Lake Mary Boulevard be put on a work order without the City Manager or City
16 Commission being aware that such a discussion was taking place. He was assured that was
17 taken off the list and unless the City brings it forward it is no longer an issue.
18

19 Ms. Sova said the public works directors met again this past Monday and they worked to improve
20 the distribution formula for the cities and they had some success. There were some changes in
21 projects and a greater understanding of what the countywide projects are and their impacts. Just
22 because it's not happening in your city doesn't mean it's not a good project for all of us in the
23 area.
24

25 Ms. Sova said she attended a meeting with the other managers, public works directors, county
26 manager and county engineer and had extended conversations about equity in the distribution
27 for the cities. We got about as far as we are going to get. She said Bruce (Paster) is going to
28 show part of what has happened. You will see Lake Mary Boulevard is the top item.
29

30 Mr. Paster said the City Manager distributed some paperwork that we got. This was after the
31 County Engineer presented this to the County Board. It was a difficult methodology on how they
32 came up with percentages. When all the public works directors met, all the cities were in
33 agreement that this method was not the way to go. The method was based on what happened
34 in the past. They looked at 2001, they looked at 2001 projects, where these projects were, a lot
35 of these projects benefit cities or are in cities and what it did was give cities 18% of the total
36 share of the tax.
37

38 Commissioner Brender asked the percentage for the last ten years.
39

40 Mr. Paster said 14% so it did go up. The premise was this was not a new tax and they were re-
41 issuing it. Commissioner Dallari's first comment was he wanted exactly what we did before: 25%
42 goes to the School Board, half of the rest goes to major projects to benefit everybody that the
43 County uses, and the other half to the cities. Using Florida Statutes' way of giving things up
44 based on population, in that method the cities ended up with 14%. The County Engineer said
45 we don't have as many major projects so let's cut the numbers differently and it ended up at

1 17%. When we sat down we said to simplify this, let's not look backwards, see what the major
2 projects are, get a good handle on that and see where we are.

3
4 Mr. Paster said at today's meeting the County Engineer presented something which pushes the
5 cities' share from 17.9% 19.4% and came up with a major projects list. Twenty-five percent goes
6 to the School Board and the Chief Financial Officer of the School Board was at the meeting
7 today and he believed the School Board will look at the mill just approved. It's up to 1%. If the
8 25% goes through they could possibly lower that over the next three or four years.

9
10 Mayor Mealor said if this initiative is successful the 25% gains them far more money than the
11 current millage structure. That is a discussion we are going to have to have because there are
12 people that feel if the School Board doesn't do that it is a form of double dipping and would not
13 be supportive of this initiative.

14
15 Mr. Paster said the County is adamant that the 25% stay in this initiative. They came up with
16 major projects of 24%, they used the population numbers for cutting the pie, and all the cities
17 ended up with 19.4%. The City of Lake Mary would lend up with 1.29% of the total share. They
18 are estimating \$60 million per year. That would give Lake Mary about \$775,000 per year. They
19 are looking at a ten-year period so about \$7.75 million for the City of Lake Mary over ten years.
20 In 2001 the City's share was .88%, it's now 1.29% so it is almost 50% more than ten years ago.

21
22 Mr. Paster said the way the County came up with this 24% of major projects, there are two
23 projects having to do with the City of Lake Mary. The first project is Lake Mary Boulevard from
24 Rinehart to Country Club.

25
26 Mayor Mealor interjected that project is off the table. It is unacceptable.

27
28 Mr. Paster said the original one was \$10 million to six-lane. He explained to them that was not
29 going to happen in the City. The County Engineer and Public Works Director revised it to \$5
30 million and is calling it major intersection improvements. He asked them to explain what major
31 intersection improvements mean. They said the intersections need to be modified to allow more
32 traffic. What they are talking about are turning lanes. That means lengthening some of the
33 turning lanes that are out there now. They are looking at the turning lanes and turning
34 movements and coming up with a plan. The Public Works Director said they would not do any
35 of this without approval from the City. We'll let them design some things and bring it to the
36 Commission, but they understand we are not interested in six-laning this portion.

37
38 Mayor Mealor said Mr. Paster and the City Manager have taken a lead role and there was no
39 way he could have brought this to the Commission prior to this evening. Just look at Longwood
40 at 434 and what that has done to that community. He was sure they have some long-term benefit
41 but that is not what we are about and is not in our community's best interest.

42
43 Mr. Paster said the other projects are 46A from Orange Avenue to the west to Rinehart Road.
44 They are six-laning that area. To the south is Lake Mary. That is a County major project that
45 benefits the City. They are saying they take major projects that benefit all the cities. Their
46 example is in Sanford at River Walk that has become a destination and helps the entire County.

1 He showed the draft list on the overhead of possible projects the City would have to use the \$7.7
2 million but the list is \$17 million.

3
4 Ms. Sova said all the cities' lists are much greater than what they will be receiving.

5
6 Mr. Paster said it shows the need is there and that we have the need for the One-Cent Sales
7 Tax. We can identify \$17 million and it will be great to get the \$7.7 million. There is the six-
8 laning of Rinehart Road at \$5.3 million, we talked about the stair step parks, and creating
9 stormwater ponds. The One-Cent Sales Tax is for transportation and they are allowing
10 stormwater and bike trails but is not for parks. The rest are City streets that are normally in our
11 annual resurfacing program.

12
13 Ms. Sova said there is an expansion and have allowed for capital maintenance.

14
15 Commissioner Brender said things are moving in the right direction but we can do better than
16 19.4%.

17
18 Ms. Sova said the point they were making today is they are going to spend \$10 million in Lake
19 Mary which is more than 19.4%. They said they did not mean they have to take the lead on
20 multiple projects. Just because it is defined as a neighborhood project by them didn't mean it
21 was going to happen in one of the entities, much like we did in 1991 with Lake Mary Boulevard
22 and Rinehart Road in 2000.

23
24 Commissioner Brender said the other point he continually objects to is doing this by population.
25 We are a city of 14,000 people and 12 hours a day we are a city of 70,000 people. The other
26 thing that sticks in his craw is the County should have passed a stormwater fee ten years ago
27 and now they are going to make a tax that is going to include stormwater for the unincorporated
28 areas of the County. We still have some work to do.

29
30 Ms. Sova said she believed the County pulled their stormwater projects out.

31
32 Mr. Paster said in the prior methodology where they looked at the past projects and had a
33 percentage in for stormwater, they pulled all the stormwater out and that brought the number to
34 approximately 20% so even with that they backed into about the same number.

35
36 Commissioner Brender said he sensed there is more work to do on this. There is not a great
37 deal of support for this right now. We had a good group at CALNO last night expressing angry
38 concerns about this new tax.

39
40 Mayor Mealor said relative to the pie, we gain far more than our population.

41
42 Ms. Sova said we are meeting next Friday. By that time all of the cities will have had time to
43 have this kind of meeting. It has been moving too fast to do much presenting because everything
44 she had to say changed the next day.

1 Mayor Mealor asked the Commission to communicate directly with the City Manager any
2 concerns they have.

3

4 Ms. Sova said the first meeting in March she would be bringing an interlocal agreement and is
5 the timetable the County is working with.

6

7 There being no further business, the work session adjourned at 6:30 P.M.

8

1
2
3 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held February 6, 2014, 7:00
4 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake Mary, Florida.
5
6

7 I. Call to Order
8

9 The meeting was called to order by Mayor David Mealor at 7:00 P.M.
10

11 II. Moment of Silence
12

13 III. Pledge of Allegiance
14

15 The Pledge of Allegiance was led by members of Girl Scout Troops 194, 1710, 2021, 1335,
16 4160, 536, and 441.
17

18 IV. Roll Call
19

20 Mayor David Mealor	Jackie Sova, City Manager
21 Commissioner Gary Brender	Carol Foster, City Clerk
22 Commissioner George Duryea	Dianne Holloway, Finance Director
23 Commissioner Allan Plank	John Omana, Community Dev. Dir.
24 Deputy Mayor Jo Ann Lucarelli	Gary Schindler, City Planner
25	Steve Noto, Senior Planner
26	Tom Connelly, City Engineer
27	Bruce Paster, Public Works Director
28	Bryan Nipe, Parks & Recreation Director
29	Kathy Gehr, Asst. Parks & Rec. Director
30	Deb Barr, Senior Programs Coord.
31	Colin Morgan, Deputy Police Chief
32	Craig Haun, Fire Chief
33	Katie Reischmann, City Attorney
34	Mary Campbell, Deputy City Clerk
35	

36 The order of the agenda was changed and Item 6-B, Proclamation – “National Girl Scout Cookie
37 Weekend” was heard at this time.
38

39 The City Attorney read a proclamation proclaiming Friday, February 7, 2014, and Saturday,
40 February 8, 2014, as “National Girl Scout Cookie Weekend”.
41

42 Mayor Mealor presented the proclamation to Mary Battaglia.
43

44 Ms. Battaglia thanked the Commission for the proclamation and presented to the Mayor some
45 Girl Scout cookies.
46

1 Mayor Mealor thanked the moms and family members who are supportive of the girls and their
2 efforts.

3
4 The Commission returned to the regular order of the agenda at this time.

5
6 V. Approval of Minutes: December 19, 2013

7
8 **Motion was made by Commissioner Plank to approve the minutes of the December 19,**
9 **2013, meeting, seconded by Commissioner Brender and motion carried unanimously.**

10
11 VI. Special Presentations

12
13 A. Special Recognition to Parks & Recreation Department: City Employee of the 4th
14 Quarter – Radley Williams, Recreation Chief

15
16 Mr. Nipe said he had the opportunity to recognize one of our department staff members who
17 was the Employee of the Quarter for the department but also became recognized by his peers
18 and City Manager as the 4th Quarter 2013 Employee of the Quarter for the City. His name is
19 Radley Williams and is the Recreation Chief for the department. Usually you recognize staff
20 members for this type of recognition for going above and beyond in their call of duty on a daily
21 basis. A lot of times they go above and beyond because they are asked to do so. With Radley
22 he didn't recall asking him to do certain things. The guy takes the initiative and takes hold of
23 projects and new programs and brings new opportunities to us. We appreciate everything
24 Radley does. A couple of examples would be taking on co-leading the accreditation effort of the
25 last year and a half to be able to get this department accredited through the National Recreation
26 & Parks Association; taking on the Facebook and social media role and websites. He has been
27 promoted over the course of the last year twice. There are many things he has taken on including
28 events and taking WineART Wednesday to another level. We appreciate everything Radley
29 does.

30
31 Mr. Williams said it was a great honor to receive this recognition but couldn't do it without his
32 teammates, Bryan, Kathy and Gunnar. They are great support for everything we do in the
33 department. He said he was proud to be a part of the City of Lake Mary team.

34
35 Mayor Mealor said there were some scouts in the audience. He said when Mr. Williams was
36 their age he watched him play football and do other things. It goes to show you that right now
37 what you are learning is that when you are a young adult look at the recognition that you may
38 also receive. It is about hard work and caring for others.

39
40 Mayor Mealor said it was a pleasure to recognize Mr. Williams and on behalf of the Commission
41 "well done".

42
43 B. Special Recognition to Employees of the Lake Mary Police Department: "2013 Civilian
44 of the Year" – Charlotte Johnson, Accreditations Coordinator and "2013 Police Officer
45 of the Year" – Lena Delgenio, Police Officer First Class

1 Deputy Chief Morgan said he was bringing forward one of our finest officers and one who is
2 being recognized as Police Officer of the Year for 2013, PFC Lena Delgenio. Lena has
3 demonstrated excellent police work this past year. She has been extremely active and
4 productive and her efforts have been rewarded by being selected to the role of K-9 Officer.
5 During this time she has shown exceptional progress becoming a K-9 handler and very early in
6 her K-9 career has been certified nationally as a K-9 Narcotics Detection Team with her K-9
7 partner, Neso. Additionally, PFC Delgenio has been called to assist with her K-9 partner on
8 numerous times and has always represented herself and this agency well. During the fourth
9 quarter of 2013, PFC Delgenio utilized her skill to locate, coordinate, and execute a felony traffic
10 stop on an armed carjacking suspect which led to their arrest. PFC Delgenio is the Lake Mary
11 Police Department Officer of the Year for 2013. She was also the 4th Quarter Officer of the
12 Quarter and is being awarded a merit pin from the Lake Mary Police Department.
13

14 Deputy Chief Morgan asked Charlotte Johnson to come forward. Deputy Chief Morgan said as
15 part of Lake Mary Police Department's Professional Standards section, Charlotte Johnson is
16 tasked with the never-ending job of ensuring that her agency's policies are up to date as well as
17 meet the accreditation standards. This past year was a very important year for Charlotte as she
18 has had to prepare daily for the upcoming accreditation in 2014. Additionally she has completed
19 several needed departmental grants that have had a direct impact on patrol functions as well as
20 the administration function of this agency. She completed a six-month long FDLE Crime Analyst
21 Certification which had her traveling out of town one week per month for six months. With that
22 training she has completed a 35-page crime analysis for Lake Mary. Charlotte has performed
23 admirably handling these duties with the utmost professionalism. She has been an excellent
24 asset for this agency to fulfill a mission. Charlotte Johnson is the Lake Mary Police Department
25 "Civilian of the Year".
26
27

28 C. Proclamation – "National Girl Scout Cookie Weekend"

29
30 This proclamation was read and presented earlier in the meeting. See Page 11, Line 37.
31

32 VII. Citizen Participation

33
34 No one came forward at this time and citizen participation was closed.
35

36 VIII. Unfinished Business

37
38 There was no unfinished business at this time.
39

40 IX. New Business

41
42 A. Final Subdivision Plan with variance(s) for Pine Tree Terrace, a nine-lot single-family
43 residential subdivision located at 385 Pine Tree Road, M.I. Homes of Orlando,
44 LLC/Brian Dalrymple, applicant (Public Hearing) (Steve Noto, Senior Planner)
45

1 Mr. Noto said typically we do not bring final subdivision plans before the Commission and
2 typically the Planning & Zoning Board is the terminal board. This is before the Commission
3 tonight because of the variance.
4

5 Mr. Noto said Pine Tree Terrace is proposed to be built on just over five acres of property at the
6 corner of Olivia Rose Court and Pine Tree Road. It will be a nine-lot subdivision with straight
7 zoning. The design is pretty much the same as it was when the preliminary subdivision came
8 before the Commission in December. The variance is to build a 30-inch tall retaining wall at the
9 end of the cul-de-sac. He pointed out the location on Sheet GR-1 of the site plan package shown
10 on the overhead. The reason the retaining wall requires a variance is that retaining walls have
11 to be a minimum of five feet from the property line. He pointed out the property line on the
12 exhibit. The reason for the retaining wall is to assist with the elevation of the property to the
13 east, to save some trees, and to install a fence. Without the wall significant grading would have
14 had to be done and it would have impacted the buffering between the cul-de-sac and the
15 neighboring properties. We reviewed this variance with the six findings of fact that are outlined
16 on Pages 3, 4 and 5 of the staff report.
17

18 Mr. Noto said the applicant met with the neighbors between the preliminary sub process and the
19 final subdivision process to see what their concerns were and to see what M.I. Homes might do
20 to address their concerns. He showed a list on Sheet ST-1 of the site plan on the overhead of
21 everything M.I. Homes proposes to do to address the neighbors' concerns from as little as putting
22 up a fence, grading work to deal with the stormwater pond, planting hedges, putting in a retaining
23 wall and things of that nature. When the Planning & Zoning Board heard this item on January
24 14, 2014, they added a condition that this list be a condition of approval.
25

26 Mr. Noto said we have no other major talking points regarding the subdivision. There are five
27 conditions of approval. He said Condition No. 5 came up after the P&Z meeting in January
28 based on some input and discussion with the applicant's engineer. They had originally proposed
29 to put a reuse water line in the cul-de-sac but after discussions with the applicant's engineer and
30 the Public Works Director we added a condition that it would be installed at a later date. We
31 don't know what reuse water is going to be available in that area. There is no need to put it in
32 now and run into issues down the road with future connections.
33

34 Mr. Noto said staff is recommending approval of the request. The Planning & Zoning Board
35 heard this item at their January 14, 2014, meeting and unanimously recommended approval with
36 staff's conditions as well as the additional condition of adding the table that is shown on the
37 overhead.
38

39 Commissioner Brender asked the location of the nearest reuse water line.
40

41 Mr. Schindler said Lake Mary Boulevard.
42

43 Mayor Mealor asked if anyone wanted to speak in reference to this request. No one came
44 forward and the public hearing was closed.
45

1 **Motion was made by Deputy Mayor Lucarelli to approve the Final Subdivision Plan with**
2 **variance for Pine Tree Terrace to include the five conditions and the additional**
3 **requirement that the table be included, seconded by Commissioner Brender and motion**
4 **carried by roll-call vote: Commissioner Brender, Yes; Commissioner Duryea, Yes;**
5 **Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor Mealor, Yes.**
6

7 B. Request for a variance from Chapter 160, Resource Protection Standards, 160.07 (2)
8 (b), to construct a swimming pool at 270 Humphrey Road; Tracy & Kelly Potter,
9 applications (Public Hearing) (Gary Schindler, City Planner)
10

11 Mr. Schindler said we have designated Crystal Lake Basin and Soldiers Creek as our two most
12 environmentally sensitive areas. Whenever there is a property that is proposing development
13 that encroaches into or is adjacent to one of these areas then we have to look at the request in
14 light of the provisions of Chapter 160 which is the Resource Protection Standards.
15

16 Mr. Schindler said the subdivision was platted in 1987, is two lots and is the Leckie Subdivision.
17 The existing dwelling was built in 1997. This is on the north side of Humphrey Road between
18 Wood Street to the east and Longwood-Lake Mary Road to the west. In 1997 a permit was
19 issued to construct the house. The house already encroaches about 50 feet into the 75-foot
20 building setback. For whatever reason in 1997 the house was allowed to be constructed without
21 a variance. At this time the applicant is proposing to construct a swimming pool on the north
22 side of the house. The applicants came to staff and said they believed there may be some
23 environmentally sensitive area. We said there were two things they must do. One is to go to
24 Public Works and talk to Danielle McKee and she would give the elevation of the 100-year
25 floodplain. They did that. He pointed out the line on the plans.
26

27 Mr. Schindler said the second thing the applicant must do is they must establish the wetlands
28 limits. He pointed out the 100-year flood line and the wetlands limits on the overhead. The way
29 that's done is an environmental consultant starts walking the property from side to side and every
30 time they find a wetlands plant they put a flag. They do that until they have gone from one side
31 of the property to the other. A surveyor then comes out and puts those lines on the survey and
32 they superimpose where the structure is going. We told them that once they got that to come
33 back and staff would help them determine the amount of variance that they will need to request.
34 They did and what we have determined is they are going to encroach about 73 feet into the 75-
35 foot required building setback. They are not going into the environmental buffer at all. We told
36 the applicants they would need a variance of 73 feet from the minimum 75-foot building setback
37 and that is what is before the Commission tonight.
38

39 Mr. Schindler said staff has reviewed the criteria for a variance and has found that they comply
40 with all the criteria. Staff finds that the applicant has met all criteria stated above to conditionally
41 approve the requested variance of 73 feet from the minimum 75-foot setback required by Section
42 160.07(B)(2)(b). The condition is that prior to the final inspection for the swimming pool, the
43 applicant shall construct a vegetative berm on the north, east and west sides of the swimming
44 pool. The berms will be a minimum of 1-foot high and shall have side slopes of a minimum of 3
45 to 1 so it's going up 1 foot and taper out 3. It shall be located on the lot in such a manner as to
46 compensate for the increased encroachment into the setback area. If St. Augustine grass is to

1 be used, the berm shall be irrigated. If drought resistant species of grass is used then the berm
2 need not be irrigated. This will slow down the runoff so that the sediments in the stormwater
3 drop out and the water that does go over will be cleaner than the water that will be on the
4 landward side. That is a common protection for wetlands areas.

5
6 Mr. Schindler said that their regular January 14, 2014, meeting, the Planning & Zoning Board
7 voted 5 to 0 to recommend approval of the requested variance with the condition recommended
8 by staff.

9
10 Commissioner Plank said he went by the house and it is set back from the road to some extent.
11 It looked like the backyard drops down as if the land the house is on was built up. He asked if
12 they were putting the pool in at a lower level.

13
14 Mr. Schindler said he had not seen the plans for the pool but they are not in the 100-year
15 floodplain so they could bring in fill without it impacting the 100-year floodplain.

16
17 Mayor Mealor asked if anyone wanted to speak in reference to this variance.

18
19 Tracy Potter, 270 Humphrey Road, applicant, came forward. She stated she agreed with staff.

20
21 No one else came forward and the public hearing was closed.

22
23 Commissioner Duryea asked if we had ever granted a variance that was 99% into the setback.

24
25 Mr. Schindler answered affirmatively. We've granted a couple of variances that were totally
26 within the 75-foot setback. There was a variance involved within the 25-foot environmental buffer
27 and into the 100-year floodplain where they had to create compensating storage.

28
29 Commissioner Duryea asked if the pool was going to be built up or be flat on the ground.

30
31 Mr. Schindler said they would be bringing in fill. It does not encroach into the 100-year floodplain
32 so no compensating storage will be required.

33
34 Commissioner Duryea said he hoped the applicant knows that some of those houses were
35 almost under water at one point.

36
37 Commissioner Brender said in the past we have put a condition on other ones regarding the
38 possibility of flooding. He asked if we needed that in this case.

39
40 Mr. Schindler answered negatively because you can see the portion of the plan that looks like a
41 bell shaped curve. That area below the bell and above the green is the limits of the 100-year
42 floodplain.

43
44 Commissioner Brender said if they were going to be filling in then it should be okay.

1 **Motion was made by Commissioner Brender to approve the variance for 270 Humphrey**
2 **Road with the condition that the applicant construct a vegetative berm on the north, east**
3 **and west sides of the swimming pool, seconded by Commissioner Plank and motion**
4 **carried by roll-call vote: Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy**
5 **Mayor Lucarelli, Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**

6
7 C. Ordinance No. 1502 – Amend Chapter 92 of the Code of Ordinances providing for
8 fees for participation in activities at the Senior Center – First Reading (Public Hearing)
9 (Deb Barr, Senior Programs Manager)

10
11 The City Attorney read Ordinance No. 1502 by title only on first reading.

12
13 Deb Barr, Senior Programs Manager, came forward and presented the amended fees for the
14 Senior Center. She said we were advised by the Commission to look at the non-resident fee
15 structure.

16
17 Ms. Barr said currently approximately 19% of the participants at the Senior Center are residents,
18 leaving about 81% of non-residents that are participating. After reviewing other local senior
19 centers and looking at their fees, we came to the conclusion of a \$20 yearly membership fee for
20 non-residents. There would be no fee for Lake Mary residents. If we have participants that are
21 visiting or do not want to commit to the \$20 yearly fee, there will be a \$1 daily fee in place of the
22 \$20 fee. We felt this was a minimal fee and it comes out to 38 cents per week for any non-
23 residents. This is just the membership fee. This will allow them to participate in any of our
24 seminars, bingo classes, and computer classes.

25
26 Ms. Barr said in addition we are looking to amend the fees for the classes that are instructor led.
27 Currently for our instructor-led classes we have a donation box and have a suggested donation
28 of \$1 to \$2 per class. We are asking that to be a required payment of \$1 to \$2 per class. We
29 have talked to the instructors about this. They would be collecting those fees themselves and
30 would retain 100% of the fees that are collected at the classes. In order to keep those fees at a
31 minimal rate, we will continue to pay any of our instructors that we are currently cutting a check
32 to every month for their classes but will only be 25% of what they are currently receiving. This
33 helps us be consistent across the board because some of our other classes the instructors
34 collect their own fees. Now everybody will be collecting and keeping their fees.

35
36 Ms. Barr said we have discussed this with the Elder Affairs Commission and they are in
37 agreement with our decision. We recommend approval.

38
39 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1502. No one
40 came forward and the public hearing was closed.

41
42 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1502 on first**
43 **reading, seconded by Commissioner Plank and motion carried by roll-call vote:**
44 **Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes;**
45 **Commissioner Duryea, Yes; Mayor Mealor, Yes.**

1 D. Resolution No. 928 – Joint Participation Agreement with FDOT for SunRail Station
2 Connectivity Upgrades (Steve Noto, Senior Planner)
3

4 The City Attorney read Resolution No. 928 by title only.
5

6 **SIDE 2A**
7

8 Mr. Noto requested to present Items D and E together as they are related.
9

10 The City Attorney read Resolution No. 931.
11

12 Mr. Noto said in December staff brought forward Resolution No. 927, a local funding agreement
13 (LFA) with FDOT for enhancements to the SunRail Station. After we approved the LFA, we sent
14 it to DOT, sent them some money, and we started asking how we get the 80% so we can start
15 doing work. When they got back to us they said to cancel the LFA and do a JPA (Joint
16 Participation Agreement) instead. We received the legal documents, ran it through finance, and
17 Resolution No. 928 is to adopt the JPA, have it signed, and send it to FDOT. We will get a
18 refund of our 20% and will go about being able to install the enhancements and begin work.
19

20 Commissioner Brender asked if we were giving up anything or allowing FDOT to tie any strings
21 to us.
22

23 Mr. Noto answered negatively.
24

25 Commissioner Brender said we are basically telling them we are going to make these
26 improvements.
27

28 Mr. Noto said when they send the refund we will spend the money and send them an invoice
29 and they will pay us back for doing the improvements.
30

31 **Motion was made by Deputy Mayor Lucarelli to approve Resolution No. 928, seconded by**
32 **Commissioner Brender and motion carried by roll-call vote: Deputy Mayor Lucarelli, Yes;**
33 **Commissioner Brender, Yes; Commissioner Duryea, Yes; Commissioner Plank, Yes;**
34 **Mayor Mealor, Yes.**
35

36 E. Resolution No. 931 – Adopting Amendment #2 to a Local Funding Agreement with
37 Florida Department of Transportation for enhancements to the SunRail Station,
38 rescinding Resolution No. 927 which provided for Amendment #1 (John Omana,
39 Community Development Director and Steve Noto, Senior Planner)
40

41 Resolution No. 931 was read by title only and presented under Item D.
42

43 **Motion was made by Commissioner Brender to approve Resolution No. 931, seconded by**
44 **Deputy Mayor Lucarelli and motion carried by roll-call vote: Commissioner Brender, Yes;**
45 **Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes;**
46 **Mayor Mealor, Yes.**

1
2
3 F. Resolution No. 929 – Opposing legislation that would mandate the use of Uniform
4 Chart of Accounts (Dianne Holloway, Finance Director)
5

6 The City Attorney read Resolution No. 929 by title only.
7

8 Ms. Holloway said in 2011 the Florida Legislature passed Bill 1292 that required a mechanism
9 be provided for all governmental entities to report accounting-wise in the same manner. This
10 includes state governments, higher education, lower education, as well as cities. It basically
11 puts us all on the same playing field even though we are not. We have different reporting
12 timeframes and different reporting requirements. It will cost us a lot of money to adhere to this.
13 The Florida State CFO established a Uniform Chart of Accounts, they sent it out to us, we all got
14 to remark on it and participate in a survey and we gave them what we thought our costs would
15 be to implement it. The Florida League of Cities and the Florida Government Officers Finance
16 Association have issued statements opposing this. She said it would cost the City a one-time
17 implementation cost of about \$125,000. In addition it would be another \$100,000 a year or at
18 least one additional position in her department to follow this mandate.
19

20 Ms. Holloway said the state had KMGP do a cost study in which we all participated in the surveys
21 and they are estimating the total cost for local governments, state governments, and educational
22 entities to have a one-time cost of over \$72 million and reoccurring annual costs of over \$60
23 million.
24

25 Ms. Holloway said we feel we do a good job with transparency. We put our budget books on
26 the Internet, we put our annual and monthly financial statements out there, we file an annual
27 report with the state, and this new mandate would ask us to do it monthly. There is no auditing
28 involved, no consistencies in numbers, it doesn't reconcile in any way to our annual financial
29 statements and we feel it would be an undue hardship on the City as well as our citizens because
30 ultimately the taxpayers are going to foot the bill on this.
31

32 Mayor Mealor said he wasn't familiar with Senate Bill 1292 but it is probably multi-faceted. This
33 is a perfect example of an unfunded mandate that goes against the very principles of the majority
34 party in the Florida House, Florida Senate, and the Governor's Office. The principles of less
35 government and less taxes, this flies in the face of that. This is unfair and whatever the intent of
36 Senate Bill 1292 was, if somebody had an issue with a particular governmental entity, hold that
37 group accountable as we have done with certain school districts in the State of Florida as
38 opposed to trying to lump everyone in and basically penalizing the taxpayers of our community.
39 It doesn't make sense. It is patently unfair and violates the principles that I value as a member
40 of the prevailing party. He said he would support Ms. Holloway's recommendation.
41

42 Commissioner Brender said we should find out which senator sponsored this.
43

44 **Motion was made by Commissioner Duryea to approve Resolution No. 929, seconded by**
45 **Commissioner Brender and motion carried by roll-call vote: Commissioner Plank, Yes;**

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

3
4 Commissioner Brender said we just adopted a resolution but questioned if it was going to do any
5 good.

6
7 Ms. Holloway said she hoped so. We are going to be sending a copy of the resolution to our
8 senators and representatives.

9
10 G. Authorize purchase of Water Treatment Plan Degasifier Packing Replacements
11 (Bruce Paster, Public Works Director)

12 a. Resolution No. 930 – Amending FY 2014 Budget to appropriate funds for purchase
13

14 The City Attorney read Resolution No. 930 by title only.
15

16 Mr. Paster said in our five-year budget we planned for the replacement of the packing and the
17 three degasifiers we have at the water treatment plant used to treat volatile organics in raw
18 water. They were installed in 2001 and the packing has never been replaced. The plan in the
19 five-year plan was to do one tower per year for three consecutive years. Last month we replaced
20 the packing in Tower No. 1 and realized at that time it was needed now to do 2 and 3. The
21 condition was much worse than we anticipated, partly due to age and partly due to some issues
22 we had in wells in prior years. It is prudent to have the packing replaced in 2 and 3. Since we
23 budgeted it in years out we need to re-budget this year to have money to do that.

24
25 Commissioner Duryea said we have an agreement with Siemens. He asked if they were
26 supposed to pay for that.
27

28 Mr. Paster said we have an agreement with Siemens and it expires in September 2015. They
29 paid up front costs for the annual maintenance that includes all the maintenance: electricity,
30 costs for the pumps, water treatment plant. There was a ten-year agreement in that they
31 believed that by 2015 there would be no more contamination and the packed towers would no
32 longer be needed. We found that not to be true so next year we will be working on revising or
33 renewing that agreement for an additional ten years and these issues will be addressed. We
34 have ten years of evidence of how much it actually cost to maintain that system so all of those
35 items will be addressed at that time.
36

37 Commissioner Brender said we are going to be re-budgeting so all three of these towers five
38 years from now are going to get changed out again.
39

40 Mr. Paster answered negatively. This item is to bring monies that were in the five-year plan into
41 this year so we can do towers 2 and 3 immediately. They have been there 13 years so it's more
42 of every ten years out. This will be addressed again when we do the five-year plan year by year.
43

44 **Motion was made by Commissioner Plank to approve Resolution No. 930 and authorize**
45 **the City Manager to execute a purchase order with Jacobs Air Systems (sole source) for**
46 **the replacement of packing in air stripper Units 2 and 3 in an amount not to exceed**

1 **\$151,700, seconded by Commissioner Brender and motion carried by roll-call vote:**
2 **Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes; Commissioner Duryea, Yes;**
3 **Commissioner Plank, Yes; Mayor Mealor, Yes.**

4
5 H. Revised Interlocal Agreement between Seminole County and the City for the Florida
6 Yards & Neighborhoods Program (Bruce Paster, Public Works Director)
7

8 Mr. Paster said this is a housekeeping item. In September 2013 the Commission approved the
9 agreement for the Florida Yards & Neighborhood Program. The housekeeping issue is that it
10 was executed on September 5, 2013, but the effective date of that agreement was October 1,
11 2013. Since it was executed after the intended effective date of October 1st, the County wants
12 us to go back and change a few items in the agreement to correct the mistakes on the date. It
13 doesn't change the intent of the agreement or any of the programs.
14

15 **Motion was made by Deputy Mayor Lucarelli to authorize the Mayor to execute the revised**
16 **Interlocal Agreement between Seminole County and the City of Lake Mary for the Florida**
17 **Yards & Neighborhoods Program, seconded by Commissioner Plank and motion carried**
18 **unanimously.**

19
20 X. Other Items for Commission Action

21
22 There were no items to discuss at this time.
23

24 XI. Reports

25
26 A. City Manager

27
28 1. Potential for advisory board combination
29

30 Ms. Sova said this item is the potential for advisory board consolidation. We talked about the
31 Board of Adjustment and LPA and the potential they could be consolidated with P&Z. The last
32 time the Board of Adjustment met was November 2, 2011. The last meeting of the LPA was
33 January 16, 2013. It's hard to expect these folks to stay engaged when they meet so seldom.
34

35 Mayor Mealor said the request is that we consolidate Planning & Zoning, Board of Adjustment
36 and Local Planning Agency and retain the number of P&Z members at five.
37

38 Commissioner Duryea asked he had no problem with the Board of Adjustment and LPA being
39 the same people. He had a problem with P&Z and those other two entities because they deal
40 with different things.
41

42 Mayor Mealor said there is a suggestion by Commissioner Duryea that P&Z remain as it is with
43 Board of Adjustment and LPA being combined.
44

45 Commissioner Brender said as formerly being on LPA when LPA used to meet a lot more often,
46 he thought he liked that idea. LPA has always been broader and more strategic than P&Z. He

1 said it was a good idea to combine them. It opens up spaces for people from the community
2 who do want to get involved. We have a P&Z board that has pretty much been the same for
3 years.

4
5 Mayor Mealor asked if there were any objections to Commissioner Duryea's suggestion.

6
7 Ms. Reischmann said LPA and P&Z would be better together.

8
9 Commissioner Duryea asked when the City was up for another EAR report.

10
11 Ms. Omana said with the disbanding of DCA, the EAR is not technically required. It is done at
12 the election of local government. We are up to doing one in 2015 or 2016 but technically it is
13 not required.

14
15 Commissioner Plank said his concern is if they have met so seldom is there a need for them as
16 a separate entity or are there other things they could be doing that would make them a more
17 meaningful committee. We will have the same problem brought up a few minutes ago of how
18 do you keep them motivated if nothing is going on.

19
20 Mr. Omana said a few years back there was talk of consolidation. At that time the feeling was it
21 would be a great return. He said he was definitely in favor of consolidation. The experience
22 P&Z has with being exposed to quasi-judicial matters and the way they delve into the land use
23 patterns of the City is very important and they have that understanding. He thought putting them
24 all together was a good thing. The Board of Adjustment is black and white—here are the
25 sections of the code that apply and if an applicant falls within those parameters then they go
26 forward to the Board of Adjustment. He didn't see how they could go off on a branch and try to
27 do something else.

28
29 Commissioner Plank asked if they reported to the Commission.

30
31 Mr. Omana answered affirmatively as do all of the boards.

32
33 Commissioner Brender said the fact that the Board of Adjustment hasn't met since 2011 is a
34 good indicator at this stage of our life as a city we may have outlived that usefulness. If we are
35 going to disband it then he would have no trouble folding LPA into P&Z. He asked if they would
36 convene as LPA.

37
38 Mr. Omana said they would have to convene as each respective body. The P&Z also sits as the
39 Sign Board of Adjustment so if they were to hear a sign variance they would have to convene
40 as that board. We can work on the verbiage.

41
42 Commissioner Brender asked if we needed a Board of Adjustment.

43
44 Mr. Omana answered negatively. The P&Z now handles variances associated with site plans
45 so they are aware of the criteria for hardship.

1 **It was the consensus of the Board to consolidate the Planning & Zoning Board, Board of**
2 **Adjustment, and Local Planning Agency with the membership remaining at five members**
3 **plus an alternate.**

4
5 2. Computer purchases and surplus

6
7 Ms. Sova said this item is annual computer purchases and surplus. We are going to be buying
8 17 desktops and 14 laptops and we have 38 asset tag numbers to be declared surplus.

9
10 **Motion was made by Deputy Mayor Lucarelli to approve the purchase of 17 desktop and**
11 **14 laptop computers through Dell in an amount not to exceed \$35,500, declare 38 asset**
12 **tag numbers listed below surplus and authorize City Manager to dispose of:**

13						
14	10674	10541	10770	10778	10678	10816
15	1286	10694	10771	10779	10681	10817
16	1501	10697	10772	1999	10684	10820
17	10322	10699	10774	2088	10755	
18	10341	10716	10775	2200	10765	
19	10444	10768	10776	10666	10806	
20	10486	10769	10777	10677	10808	

21
22 **Seconded by Commissioner Brender and motion carried unanimously.**

23
24 Ms. Sova announced the Little League opening day ceremonies will be Saturday, February 15th
25 at 9:00 A.M. at the Sports Complex.

26
27 Ms. Sova said the Florida Yards & Neighborhoods will conduct a “Landscape Design the Florida
28 Friendly Way” class on Thursday, February 20th, from 6:30 P.M. to 8:30 P.M. at the Lake Mary
29 Municipal Services Complex, 911 Wallace Court. You can register for this free event by calling
30 407-665-5575 or email fyn@seminolecountyfl.gov.

31
32 Ms. Sova said Lake Mary Celebrates will be held in Central Park on Saturday, March 1st, from
33 10:00 A. to 3:00 P.M. There will be artists and artisans, kids’ games, craft activities, and
34 entertainment. It is a free event and food will be available for purchase.

35
36 Ms. Sova said the Shred-A-Thon was a great success. The vehicle count was 858, 42,100
37 pounds of material was shredded and 99 hard drives were destroyed. Donations increased to
38 approximately \$9,891.

39
40 Ms. Sova said we are still looking for volunteers to serve on the Elder Affairs Commission and
41 Historical Commission. Elder Affairs meets the second Monday of each month at 3:00 P.M. and
42 the Historical Commission meets the third Tuesday of every other month at 5:30 P.M., both at
43 the Events Center. If you are interested in volunteering for either of these boards please
44 complete a Board Appointment Information Form or visit our website www.lakemaryfl.com.

1 Ms. Sova requested to schedule a work session for February 20th at 5:30 P.M. to discuss Chris
2 Mahnken's Station Pointe project and look at designs for the Fourth Street entry feature.

3
4 Ms. Sova said to mark your calendars for the State of the City on March 6th from 7:30 A.M. to
5 9:00 A.M. at the Events Center.

6
7 Ms. Sova said the Rummel property on Chickee closed and the title company paid us the amount
8 agreed to against the liens. There is a new owner on property. Roll-off dumpsters have been
9 delivered and they are beginning work. She said she appreciated Bruce Fleming's help who
10 worked hard on this and is over there making sure the property is brought into compliance.

11
12 Ms. Sova said next week our new Economic Development Manager, Tom Tomerlin, will come
13 on board.

14
15 Mayor Mealor said he believed Dr. Tomerlin was the featured speaker at the PBAS Breakfast
16 next Wednesday.

17
18 Ms. Sova said he had some commitments that she encouraged him to keep.

19
20 B. Mayor

21 1. Election of Deputy Mayor

22
23 Mayor Mealor said he was honored to be elected as Chairman of the Mayors and Managers
24 group in Seminole County and was looking forward to the opportunity to serve.

25
26 Mayor Mealor said one item he has is the election of a deputy mayor. If you look at the historical
27 perspective each has done a remarkable job. He asked Commissioner George Duryea to accept
28 the position of Deputy Mayor.

29
30 Commissioner Duryea accepted the position of Deputy Mayor.

31
32 C. Commissioners (2)

33
34 Commissioner Duryea thanked Mayor Mealor for the nomination.

35
36 Commissioner Plank said he attended his first Metroplan Orlando meeting today. He said the
37 tenure of Commissioner Lucarelli's was mentioned frequently and very favorably. She
38 represented the City well and would try very hard to follow in her footsteps. They presented the
39 2040 long-range transportation plan.

40
41 Commissioner Plank said the museum currently has a good exhibit of quilts and fabrics which
42 will be there until March 1st. The museum received a \$3,500 donation from the Paulucci
43 Foundation.

44
45 Commissioner Plank some may remember we looked at the possibility of a book on Lake Mary,
46 basically a picture book with captions. The reason we haven't made any progress on that is

1 because all the proposals that were made required us to lay out a large amount of cash and do
2 the work. A company has contracted with an independent author. It is the same company that
3 does the other books on different cities throughout the country. The author has given us final
4 approval on the copy and is working with us on the pictures and content. What goes in the book
5 will be what Lake Mary wants to go in the book. We have no cost liability, we can purchase the
6 books at a discount, and it will be marketed on a general basis. It's an excellent proposal and
7 gives us what we were looking for without the City being obligated in any way.

8
9 Commissioner Lucarelli said we had our Second Annual Stalking Awareness event. She was
10 able to present a proclamation from the Governor declaring it National Stalking Awareness
11 Month in the State of Florida. We had a good turnout. There was a lot of back and forth
12 discussion. We had three stalking victims there so there was good in-depth discussion and
13 questions from law enforcement advocates and the victims themselves. There are a couple of
14 bills we are looking at that hopefully will go through this year. One is a bill that if you put a GPS
15 tracking device on someone's vehicle or phone without their knowledge or permission, it makes
16 it a criminal stalking activity.

17
18 Commissioner Brender said he attended CALNO at the City of Casselberry. Casselberry is
19 involved in a \$10 million program of replacing asbestos cement pipe which is their water system.
20 They have \$5-6 million from a federal grant. The program is called pipe bursting and what they
21 do is replace the pipe by bursting the asbestos cement pipe and replacing it with a high density
22 polyethylene pipe. The asbestos remains encased in this cement product.

23
24 Commissioner Brender said there were quite a few citizens present who were angry about the
25 concept that Seminole County is going to re-activate the One-Cent Sales Tax. Assuming the
26 One-Cent Sales Tax goes to a County vote, whoever gets behind it are going to have more than
27 just a casual sell job to get this done because the mood is not real positive from the group that
28 was present at CALNO. He said he wasn't looking at this like an automatic like it has been for
29 20 years.

30
31 Commissioner Brender said the City of Lake Mary will host CALNO on March 5th and will sponsor
32 a program regarding the One-Cent Sales Tax. This is also our WineART Wednesday so we
33 plan to meet at 6:30 P.M. and anybody who wants to can hit a food truck and we will convene
34 the meeting at 7:00 P.M.

35 36 D. City Attorney

37
38 Ms. Reischmann said a response to a variance case appeal has been filed.

39
40 Ms. Reischmann said regarding the public records law she advised the Commission to not use
41 anything that they can't save their data on.

42 43 XII. Adjournment

44
45 There being no further business the meeting adjourned at 8:25 P.M.

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David J. Meador, Mayor

Mary A. Campbell, Deputy City Clerk

ATTEST:

Carol A. Foster, City Clerk