

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held February 7,  
2 2013, 5:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake  
3 Mary, Florida.

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5  
6 Mayor David Mealor Jackie Sova, City Manager  
7 Commissioner Gary Brender Carol Foster, City Clerk  
8 Commissioner George Duryea Dianne Holloway, Finance Director  
9 Commissioner Allan Plank John Omana, Community Dev. Dir.  
10 Deputy Mayor Jo Ann Lucarelli – Late Gary Schindler, City Planner  
11 Steve Noto, Planner  
12 Tom Connelly, City Engineer  
13 Dave Dovan, Asst. Public Works Dir.  
14 Bryan Nipe, Parks & Recreation Dir.  
15 Randy Petitt, Human Resources Mgr.  
16 Steve Bracknell, Police Chief  
17 Craig Haun, Fire Chief  
18 Mary Campbell, Deputy City Clerk  
19

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

21  
22 ITEMS FOR DISCUSSION:

23  
24 I. Country Club Road/Downtown Roadway Improvements

25  
26 Ms. Sova said we are going to discuss traffic circle feasibility on North Country Club Road at  
27 Wilbur Avenue and East/West Crystal Lake Avenue.  
28

29 Mr. Omana said there are three items we would look at under this topic: (1) Traffic Circle  
30 Feasibility Analysis for North Country Club Road; (2) the Greenleaf and Palmetto circle update;  
31 and (3) intersection enhancements at the East Crystal Lake/Old Lake Mary/Palmetto  
32 intersection adjacent to the Station House project. We have included in the packet the Traffic  
33 Circle Feasibility Analysis Report prepared by CPH Engineers, Inc. and Professional Engineer  
34 Jeremy Owens will present the technical aspects of the project.  
35

36 Mr. Omana said tonight we will give a snapshot of the preliminary analysis of how these  
37 roundabouts work, what could fit within the geometric parameters of the rights-of-way, and  
38 some other technical information. We are looking for the Commission to give direction as to  
39 what you would like to see within these particular rights-of-way with respect to design and  
40 appearance. With that direction we can move forward to the next phase of formal design and  
41 subsequent implementation. He asked Mr. Owens to come forward and give details of the  
42 traffic circles.  
43

44 Jeremy Owens of CPH Engineers came forward. We were tasked with looking and analyzing  
45 the placement and implementation of traffic circles in the two intersections of Country Club and  
46 Wilbur and Country Club and East Crystal Lake.

1  
2 Mr. Owens said from the last time we did a presentation on traffic circles we did two different  
3 analyses. One was the larger traffic circle which will be able to facilitate the critical fire  
4 apparatus and is the large pumper truck the City of Sanford has that is about 60 feet long. The  
5 other was a smaller one that could be handled by normal vehicles but would be limited with the  
6 larger apparatus. We looked at the available information on each of the intersections. We  
7 looked at right-of-way maps to determine where the right-of-way lines were. That's how we fit  
8 and determined this initial analysis. The next thing we need to do is a formal right-of-way  
9 survey. We need to know where that right-of-way is to make sure everything gets tweaked in  
10 the way it needs to be.

11  
12 Mr. Owens said we first looked at a large traffic circle on Country Club and East Crystal. He  
13 showed the circle on the overhead. There are some limitations. The large traffic circle does  
14 not fit within the right-of-way currently there. You can get to the back of the curb but your clear  
15 zone requirements, sidewalks and such are not able to fit within the right-of-way limits. This  
16 right-of-way is based on the right-of-way maps from Seminole County and the maintenance  
17 maps from Rockett & Associates. On this circle we have encroachment on each corner of the  
18 intersection. There will need to be additional right-of-way on all these corners. The critical one  
19 is the southeast corner because there is a building there all the way against the right-of-way  
20 line. Based on the aerials there might be other things close to the right-of-way line. If you  
21 decide to go with this traffic circle you've got to take cost into account for the possible  
22 purchase of that parcel. There could be pedestrian access to the middle and there is a middle  
23 feature.

24  
25 Mr. Owens said the medium circle is smaller and based on the right-of-way maps it looks like it  
26 can fit in the right-of-way. We mentioned in our report some sight issues. One of the things  
27 that might be fixed on this is instead of going with a traffic circle with a full yield condition  
28 coming into the traffic circle, going with stop conditions on East Crystal. It will help alleviate  
29 the possible sight line issue. He showed the option for the medium traffic circle on the  
30 overhead and is very similar to East Crystal and Palmetto. The larger traffic circle can handle  
31 all the traffic, even the large pumper truck. When it comes to the medium traffic circle you can  
32 get a normal fire truck and/or ambulance through but the critical apparatus cannot make it  
33 completely through the intersection on a left-hand turn. He can go straight, he can go right but  
34 he cannot make a left-hand turn. The small fire truck will have to mount the middle curb which  
35 is mountable. The fire truck as it is coming from the fire station could mount the curb and  
36 come around. We have discussed with the Fire Chief the possibility of adding emergency  
37 signal flashing heads there. Now if a fire truck needs to come out of that road he comes to the  
38 intersection with lights and sirens blaring and everybody stops and he is able to go through the  
39 intersection. The same thing could happen after the intersection is implemented but we could  
40 add additional safety features with the lights.

41  
42 Mr. Owens showed a large traffic circle on Country Club and Wilbur. The road does not  
43 appear to be centered within the right-of-way so the traffic circle has to be offset to make up for  
44 that difference. Some of the areas outside the right-of-way are different on each of the  
45 corners. For traffic reasons we try to line up to the intersection itself. He pointed to the upper  
46 right hand corner where there is a larger corner clip than what is on the southern parcel. On

1 this intersection on each corner is a corner clip. It's not that you're buying the whole parcel but  
2 is just a small segment of the parcel. He brought the Commission's attention to the northeast  
3 corner where there is a building. Based on preliminary review it looks like we can get the  
4 sidewalk in without impacting the building. Other items to take into account when you get  
5 through preliminary and final design is how it will affect the drive through of the two parcels on  
6 the corner that have existing asphalt drives.

7  
8 Mr. Owens showed a medium traffic circle on Country Club and Wilbur and it fits better in the  
9 right-of-way. It is a smaller footprint and smaller cost. There is the possibility of some sight  
10 line issues but those can be corrected with stop signs coming into the intersection.

11  
12 Mr. Owens said these are the main two sizes we looked at as we moved forward. When it  
13 comes to our recommendations it is really what the City desires. If you try to do the large  
14 traffic circle on the southern intersection you will have a larger cost because of right-of-way  
15 acquisition. The building on the southeast corner is going to add to the cost of the project. For  
16 the medium circle it doesn't appear you have that additional right-of-way need so that cost is  
17 reduced. On the southern intersection we recommend moving forward with the medium circle.  
18 On the northern circle either one would work but there will be additional costs for right-of-way  
19 acquisition because you have to pick up additional right-of-way for the larger traffic circle.  
20 Either option seems to be feasible without going way above and beyond.

21  
22 Commissioner Duryea questioned what they would do with the manhole in the middle of the  
23 street.

24  
25 Mr. Owens said we would have to work around that. When we looked at this initially we  
26 included some of our costs for utility relocates. There are power poles in the way and storm  
27 drainage that needs to be relocated. The manhole is only going to limit what you can put in the  
28 middle. We can adjust the manhole up or down, left or right. You can add your raised feature  
29 in the middle and put landscaping around to hide it but still be able to access it by the utility  
30 department.

31  
32 Commissioner Brender said he thought the intent of a traffic circle was to keep traffic moving  
33 through and now we are talking about putting stop signs on the cross street which seems  
34 counterintuitive. We have the right-of-way for the large circle on the north end but we really  
35 need the large circle on the south end because that's where our fire trucks are coming out.  
36 Even though our current pumpers will fit the medium traffic circle he was sensing the larger  
37 circle would fit it a lot better.

38  
39 Mr. Owens said he only mentioned the stop condition, especially on the southern one. All the  
40 layouts in the report have a yield condition but the more he looked at it the more he was  
41 concerned that somebody might not see a car coming. As you come left out of East Crystal  
42 onto Country Club, he has to yield to whoever is on North Country Club northbound and he  
43 wanted to make sure he can see. It might not be an issue but wanted to throw it out there that  
44 it might be something we end up having to do.

1 Commissioner Plank said building on being able to see, coming off East Crystal in both  
2 directions they vie for a position now as to who is going to get out into the street first. He  
3 would be inclined to agree there needs to be something there even if it impacts traffic flow.  
4

5 Commissioner Plank asked what impact this would have if we go with their recommendation  
6 for a medium circle versus the larger one which he thought was the more logical one.  
7

8 Chief Haun said he had quite a discussion with John in reference to this circle. Both circles  
9 are going to be a drastic impact for emergency response. The smaller circle is going to be  
10 really tight. The larger circle gives a little more visibility coming into it. Either way we go one  
11 of our main concerns is safety of our personnel coming out into it and traffic coming up and  
12 down Country Club. We are already going into a blind intersection. They are coming out  
13 requiring a complete stop before they can proceed because if somebody is going north on  
14 Country Club, they cannot see the fire truck coming out at Crystal. With the traffic circle it  
15 somewhat makes them lean towards looking toward Crystal where the fire apparatus will  
16 approach because on the circle they will be taking the right hand curve so it makes them look  
17 that way. On the other hand it makes the traffic going southbound look away from them. As  
18 they come into the curve they are going to be looking towards City Hall away from the  
19 apparatus coming out.  
20

21 Chief Haun said one of the things discussed to make it safer would be to put the signals that  
22 Jeremy was referring to on Country Club because people coming eastbound on Crystal would  
23 be looking at the fire apparatus coming at them. On Country Club we could put signals similar  
24 to what we have in front of the station that are side-mounted flashing lights. We could put that  
25 on the traffic lanes on both north and southbound Country Club prior to getting to the circle.  
26 The opticom controllers on the fire apparatus when they come out of the station are on a delay  
27 system. Once that would activate they would have red lights stopping traffic on Country Club  
28 when they approach the circle. We would take a direct left instead of going around the loop.  
29 He feared the loop would put extreme wear and tear on fire apparatus. We experienced that  
30 previously when we were at 235 Rinehart. Suspension problems were inherent in that  
31 continuous rough left turn that we were making out of there and could see the same thing  
32 happening here. It is worse than a hairpin turn you are making every time you come out of the  
33 station and need to go south on Country Club. For the majority of calls we are going south on  
34 Country Club to get to Lake Mary Boulevard. One of the big concerns besides the safety  
35 aspects which we can address through lighting is the rotation around that circle on the fire  
36 apparatus. Even on the normal size pumpers and ambulances it is going to be hard on the  
37 rescues.  
38

39 Commissioner Plank asked if the current equipment would accommodate the smaller circle.  
40

41 Chief Haun said in order for us to do that we will be on that decorative curb.  
42

43 Commissioner Plank asked if we were exacerbating rather than improving the situation.  
44

45 Chief Haun said from a safety standpoint without the signalization it would be worse for us.  
46 With the signalization it makes it safer. Right now we have none and are coming out blind and

1 having to come to a complete stop and waiting for people to yield to the fire apparatus. If it  
2 had signalization we would have some compliance. Even if people didn't come to a complete  
3 stop they might slow down and be looking for something. With the signalization once traffic  
4 stopped we could cut the corner instead of going around the circle.

5  
6 Commissioner Plank asked if the people coming eastbound on Crystal approaching Country  
7 Club would be able to see what was on the other side when this is installed.

8  
9 Mr. Owens said it depends what is put in the center island.

10  
11 Commissioner Plank said they would have to put the signals on all four corners.

12  
13 Mr. Owens said it would require all four.

14  
15 Commissioner Plank asked if they were looking at two circles to choose between one. He said  
16 he was confused as to why they are looking at two circles this close together.

17  
18 Mr. Omana said we would be going with the two circles, one at Wilbur and one at Crystal. It  
19 would help slow traffic down and help weed out the cut-through traffic. Human nature being  
20 what it is, if you have two of these set up people will think about going through there at a  
21 slower rate and will go somewhere else where he can go faster.

22  
23 Commissioner Plank asked if the proximity of the two circles was as important as the two  
24 circles.

25  
26 Mr. Omana answered affirmatively.

27  
28 Commissioner Duryea asked if they had looked at any traffic counts that have been done  
29 recently. Having an office so close to that corner he gets to see all the bad things that happen  
30 on that corner. In the morning it is backed up on the north side all the way to Wilbur and on  
31 Crystal Lake past the lawn and garden shop. He understood the good thing about the circle is  
32 it will slow traffic. When you have a lot of traffic it becomes a hindrance because now you  
33 have people stopped in the roundabout.

34  
35 Mr. Owens said he didn't look at any recent traffic data but thought what Commissioner Duryea  
36 was explaining is you have people backed up from the light all the way back. One of the things  
37 that can be done about that would be to talk to Seminole County about changing some of  
38 timing of the lights. If traffic is backed up it can block the traffic circle.

39  
40 Commissioner Plank said the study he saw indicates that the majority of the traffic, especially  
41 during the morning and evening rush hours, is cut-through traffic and is not coming from the  
42 residents. It is coming from 46A and Country Club. He liked the idea of two circles in that  
43 respect even though our goal was to improve traffic flow and improve the aesthetic  
44 appearance of what we hope will be the Downtown area.

1 Commissioner Brender asked if there was any kind of estimate as to what we would need for  
2 right-of-way for the larger traffic circle on the south side. He asked if it would physically fit  
3 considering the building on the southeast corner--not the right-of-way we own now but what we  
4 could own. He asked if it would fit.

5  
6 Mr. Owens said at some point it could but you are expanding what you would end up buying.

7  
8 Mayor Meador said the medium traffic circle within the constraints we have is probably the  
9 recommendation right now. He asked how the roundabouts at Colonial Town Park compare in  
10 size to the medium traffic circle being proposed this evening.

11  
12 Mr. Owens said theirs are bigger and are about the size of the large one.

13  
14 Mayor Meador said inevitably you will find a semi or something taking out part of the  
15 roundabout, either traveling too fast or simply can't maneuver. That's the last thing we would  
16 need presenting an issue.

17  
18 Deputy Mayor Lucarelli arrived at this time (5:35 P.M.).

19  
20 Commissioner Brender said after listening to what Chief Haun said about wear and tear on fire  
21 vehicles, if we are going to end up spending \$100,000 buying tires and suspension, he would  
22 rather spend \$100,000 on right-of-way. He asked if they could cut the corner and not make it  
23 perfectly round.

24  
25 Mr. Owens answered negatively, not and try to maintain the full drive pattern.

26  
27 Commissioner Duryea asked what type of difficulty we have when a semi-tractor trailer 40 or  
28 50 feet long goes through there. Many go through there and they run up on the curb now.

29  
30 Mr. Owens said they could go straight, they can turn right, but they cannot turn left.

31  
32 Commissioner Brender said for the medium traffic circle we do not need any additional right-of-  
33 way.

34  
35 Mr. Owens said it didn't appear so.

36  
37 Commissioner Brender asked if there was a "medium-large".

38  
39 Mr. Owens said you can make it larger to where it can fit within the right-of-way that's there.  
40 We just went with the minimum size we would recommend. There is a little room where we  
41 can expand. The more you expand the more stuff you impact. Something in the middle could  
42 work.

43  
44 Commissioner Brender asked the difference in diameter of the medium and large.  
45

1 Mr. Owens said the large is a 48-foot outside radius and the medium is a 32-foot outside  
2 radius. We could try to maximize the medium circle as much as possible.

3  
4 Deputy Mayor Lucarelli said they should try to maximize what they've got in the space that's  
5 available.

6  
7 Commissioner Brender said he would like to maximize the southern one.

8  
9 Commissioner Duryea said it is maximized with the medium. We would have to redo the  
10 curbs.

11  
12 Mr. Owens said they had to redo that on all of them.

13  
14 Mayor Mealor asked Mr. Omana what he recommended in next steps in terms of the  
15 discussion this evening.

16  
17 Mr. Omana said based on the input we received from the Commission and the technical  
18 overview from the Chief and Jeremy, Community Development would recommend that the  
19 Commission give direction to proceed to the design phase considering as a baseline the  
20 medium traffic circle for both intersections and taking into account the possibility for expansion  
21 geometrically to accommodate as much as possible the fire safety apparatus, and bring that  
22 back to you.

23  
24 Commissioner Brender asked if they needed to do the medium on the northern one. He  
25 questioned why not do the larger circle if we have the space.

26  
27 Mr. Omana said the reason he was saying the medium is in his extensive discussions with  
28 Jeremy, we get into the issue of right-of-way acquisition costs. With everything happening on  
29 Downtown, when you go to appraise that square footage, we may be looking at a good chunk  
30 of change.

31  
32 Mayor Mealor asked the Commission's pleasure in terms of the two proposals.

33  
34 Commissioner Duryea said he would want to see what the traffic impact is going to be. The  
35 medium is the one he would go with first off because it doesn't require any acquisition. We  
36 have sewers that are hundreds of years old and all kinds of problems not to mention the traffic  
37 problem. He would like to have a traffic engineer look and say what effect this is going to have  
38 and would it be detrimental or beneficial. If I'm coming down Country Club Road and you have  
39 all these roundabouts people may take a right on Wilbur and go down Fifth Street. It's another  
40 cut-through. We are sliding the problem from one end to the other.

41  
42 Mayor Mealor asked if that had been taken into consideration in the analysis.

43  
44 Mr. Owens said a full traffic review has not been taken into consideration. Studies have shown  
45 on basic intersections when these are installed you reduce accidents and increase traffic flow.

1 He thought what Commissioner Duryea was discussing now is a larger global area issue and it  
2 is going to affect the next street up.

3  
4 Mr. Omana said when we were changing the land use designations we looked at the traffic  
5 scenario and to the issue of globally we have looked at that. In cooperation with DCA we did a  
6 2025 build-out scenario with a 25% development variable fitted into that model. That model  
7 showed you could have so many units of residential and so many square feet of non-  
8 residential fit within the Downtown and not have an adverse effect on the level of service or  
9 traffic flow which would not require any additional improvements to the roadway network.  
10 Given that the roadway scenarios proposed through the roundabouts do not include a full stop  
11 condition and still promote the movement of traffic, as a non-traffic engineer he could conclude  
12 that taking that traffic model study and applying it to this would not be an adverse effect.

13  
14 Deputy Mayor Lucarelli said she thought as the Downtown redevelops and the character is  
15 formed people will want to come down there. She thought people would enjoy that eventually.

16  
17 Commissioner Brender said let's go with the continued design studies with the medium  
18 proposed but if we can scrape two extra feet out of the southern one he would say do it. Two  
19 extra feet can make a difference between whether the fire apparatus is riding up on the curb or  
20 not. Maximize the southern one and maximize the northern one to whatever we have in  
21 existing right-of-way and let's proceed.

22  
23 **It was the consensus of the Commission to move forward with the design of the**  
24 **medium circle proposed but maximize to the existing right-of-way. Bring back to the**  
25 **Commission.**

26  
27 Mayor Mealor asked Mr. Omana and staff to respond to the questions raised by Commissioner  
28 Duryea in terms of infrastructure replacement costs and bring back to the Commission.

29  
30 Mr. Omana said regarding the traffic circle at Greenleaf and Palmetto, we have been closely  
31 coordinating with the folks at SunRail and FDOT in light of the right-of-way constraints in the  
32 area. We have also been coordinating with Mr. Nipe and his staff relative to the design of the  
33 park in the vicinity. He asked Mr. Owens to present the technical findings.

34  
35 Mr. Owens said we met in June of last year and the Commission decided to move forward and  
36 see if DOT would allow us to encroach into their property. Staff has met with DOT multiple  
37 times and DOT has agreed to give an easement and a right-of-way use permit to encroach  
38 within that. The original design had shown the right-of-way based off the DOT maps and right-  
39 of-way maps and we showed the encroachment on the north side into the park, there was no  
40 encroachment to the south, and there was a little encroachment on DOT. DOT has given their  
41 blessing that we can put the sidewalk on the SunRail station.

42  
43 Mr. Owens said since then the Heritage Park design has begun and we have done some  
44 updated surveying and we have more room than we thought. The Commission had asked  
45 staff to push the fence located on the park back a little when it was installed and that gives 10  
46 to 15 more feet to work with. It looks like everything will fit within what we have. The next

1 phase will be the design. We were waiting to get DOT's approval to do an encroachment  
2 before we did anything else because if they were not going to do it then there wasn't any  
3 reason to move forward.

4  
5 Commissioner Plank asked how the size of this circle compares to what we were looking at for  
6 Downtown.

7  
8 Mr. Owens said this is the medium and we can maximize this one to as large as we can.

9  
10 Mr. Owens presented the intersection improvements at East Crystal Lake Avenue, Old Lake  
11 Mary Road, and Palmetto Street. This intersection was discussed at the June 21, 2012,  
12 workshop. CPH has been tasked to do some intersection improvements. We have started on  
13 the roadway design and are almost done. One of the final items we are moving forward with is  
14 the design of the intersection itself. We are looking for feedback on what the Commission  
15 would like it to look like. We introduced the raised crosswalks to help promote pedestrian  
16 safety and slow the cars down. We had one of those on either side of this intersection. As he  
17 designed it he thought he would get a call from the first commissioner that drives through that  
18 road because he would be going up and down and up and down. We looked at more designs  
19 and some you see in urban areas are raised intersections. On either side of the intersection  
20 we have the ramps that come up to the crosswalk and we are going to maintain that height all  
21 through the intersection. It helps the up and down feel and helps against the train tracks  
22 because right now you have a significant grade difference from the intersection to the railroad.  
23 There was 18 inches of difference and now you are at a foot difference. That will smooth out  
24 that transition. We implemented some walkable-type feel so when you come up the sidewalk  
25 will be at the side of the road and we will have bollards two or three feet back from there. He  
26 asked if they wanted to move forward with lighted or unlighted bollards and how decorative  
27 they wanted to go. He showed some examples on the overhead. He did not recommend blue  
28 because it was very expensive. These are all concrete. We have some design elements that  
29 are key for this intersection due to the fact it is not your typical T or cross intersection.

30  
31 **SIDE 1B**

32  
33 Commissioner Brender said a compass rose next to a SunRail station makes sense. It says  
34 what we are trying to say.

35  
36 Commissioner Duryea said Mr. Owens was recommending concrete but we could also use  
37 asphalt and asphalt can be colored. He asked why they would use cement.

38  
39 Mr. Owens said because of the turning movements that are going to be in this intersection. It's  
40 not a straight through and you have to worry about asphalt pushing. He expressed concern  
41 asphalt would have to be replaced more often than the concrete.

42  
43 Mayor Mealor said we have a lot of affirmative head nodding on the lighting. He asked Mr.  
44 Nipe to come back with a couple of preferred recommendations and let us give them input as  
45 to what we prefer.

1 II. Proposed Downtown Parking Revisions

2  
3 Mr. Omana said staff has been observing the high parking demand in Downtown. A lot of  
4 good things are going on. We sat down as a staff and with the City Manager and bounced  
5 around some ideas. The theme tonight is to be able to get a more efficient and better  
6 managed method to handle the parking as development progresses.

7  
8 Mr. Schindler said we are seeking direction on some proposals to expand upon the way  
9 parking is currently handled in the Downtown. Right now when a property develops, the code  
10 requires that they develop parking spaces in right-of-way adjacent to their property. Parking  
11 spaces in the right-of-way can meet a portion of their needed parking requirements or they can  
12 meet all of it. Irrespective as whether they develop parking spaces on site, they have to  
13 develop parking spaces within the right-of-way.

14  
15 Mr. Schindler said what we are proposing is if the City develops parking spaces either within  
16 the right-of-way or off-street parking lots and a developer comes and says he wants to develop  
17 but wants to maximize the use of his property, there would be an option of allowing that  
18 developer to pay to utilize City constructed spaces either within the right-of-way or in a parking  
19 lot. They would pay \$5,000 per space. The City of Winter Garden currently has a program  
20 that allows the same thing and they charge \$5,000 per parking space. They could only utilize  
21 parking spaces within the right-of-way that are adjacent to their property. If we allowed the use  
22 of parking spaces in front of property that is not adjacent or is someone else's property, in the  
23 long run we are preventing that person from utilizing those spaces adjacent to their property.  
24 Right now if you develop on-street parking spaces, those are not for your exclusive use and  
25 anyone can park there. This wouldn't change. Neither would that practice change even if they  
26 were to develop in a parking lot. The use of those parking spaces support the development  
27 but they will not be exclusive for the use of your business alone.

28  
29 Mayor Meador said a year ago we were having discussions about cost for spaces within a  
30 parking garage and the going rate was around \$11,000 per space and here we are proposing  
31 \$5,000. From a problem solving scenario, if someone wanted to come and put a new facility in  
32 and the City had space basically as a parking bank, they could buy in to that inventory and not  
33 be confronted with a constrained site to where parking may be problematic. He asked if that  
34 was correct.

35  
36 Mr. Schindler said that was correct. The money collected would be used to purchase land for  
37 parking and/or develop parking lots or create parking spaces within the right-of-way. It would  
38 need to go into a parking reserve account for the purpose of increasing parking in the  
39 Downtown.

40  
41 Mayor Meador said it could also be used as an incentive.

42  
43 Commissioner Duryea said he was conflicted. He thought the City as a participant in the  
44 Downtown has an obligation to provide something for the use of these properties. We have  
45 various things going on that use up everybody's parking. He thought there has to be a portion  
46 of parking that the City has to provide, especially in this area. He didn't know how and where it

1 would work with this banking situation. He asked if the City should buy land and make a  
2 parking lot.

3  
4 Mr. Schindler said that was a possibility. We don't want to purchase land for parking that is  
5 going to be prime development; however, in order to have prime development you have to  
6 have sufficient parking within close proximity so it's a balancing act. There may be some  
7 properties that the City may need to purchase. Staff could come back with recommendations  
8 as to where parking might be developed.

9  
10 Deputy Mayor Lucarelli said parking is an issue and we need it but with the small downtown  
11 that we have we don't want to eat it up with big parking lots. A parking garage seems most  
12 feasible except for the cost. She asked if Winter Garden had a parking garage or had more  
13 space than us.

14  
15 Mr. Schindler said he didn't know if Winter Garden had parking garages. They use the money  
16 to develop parking within rights-of-way. They do not require properties to develop the parking  
17 spaces within the rights-of-way. If someone wants to develop parking spaces he was sure  
18 they had no problem in allowing that.

19  
20 Commissioner Plank said to answer Deputy Mayor Lucarelli's question there is a large  
21 municipal parking lot that they operate in the Downtown.

22  
23 Commissioner Plank said given the problems we have run into in having adequate parking with  
24 Station House, the station itself, and that area Downtown, he asked how this would favorably  
25 impact that.

26  
27 Mr. Schindler said he didn't think there was anyone who believed the parking for the station  
28 itself is going to be a problem in the foreseeable future. There are 300+ parking spaces and is  
29 not going to be fully utilized for some time. There is not going to be anyone there to determine  
30 how those spaces are used. For the development on the east side of Palmetto there is nothing  
31 to prevent people from parking in the SunRail station and walking across the street. Likewise  
32 there would nothing to prevent someone from Station House parking at the station and walking  
33 to their apartment. Station House is a special situation that the Commission has made a policy  
34 decision about.

35  
36 Commissioner Plank said his question relates to the fact that we only have so many parking  
37 spaces on the streets in our existing rights-of-way. He asked if we were advocating using this  
38 to develop parking lots in Downtown. He said he wasn't clear on what benefit this is going to  
39 have to the spaces we have available. Take Crystal Lake as an example. We had to get very  
40 creative with Station House in order to come up with an adequate number of parking spaces to  
41 meet our requirements.

42  
43 Mr. Schindler said not every development is going to be a Station House.

44  
45 Commissioner Plank asked if that is the exception.

1 Mr. Schindler said at this point he believed that is the exception. There could be another  
2 developer that would come with an intense development such as Station House. It is probably  
3 going to be the exception rather than the rule. The rule is going to be what we see to the north  
4 and west of us and one to two-story buildings.

5  
6 Commissioner Plank said he would like see us encouraging developers to anticipate parking  
7 requirements within their property rather than be dependent to meet the requirements by using  
8 our streets.

9  
10 Mr. Schindler said right now we already do that. We allow the on-street parking to meet all or  
11 a portion of their demand. One of the changes we are asking is we no longer allow spaces  
12 which are not adjacent to the proposed development to be utilized.

13  
14 Commissioner Plank said he understood that but was saying that no matter what kind of  
15 development goes in, the developer is going to want to maximize the footprint on their land  
16 unless we are incentivizing them in some way not to do that or to include parking as Station  
17 House did in their plan.

18  
19 Mr. Omana said part of our discussion internally was about how much relies on government.  
20 Our intent would be to sit down with developers and try to maximize the on-site parking and try  
21 to create a balance and not have a whole reliance on right-of-way parking or elsewhere.

22  
23 Commissioner Plank said if he were a developer, the \$5,000 fee would give him the feeling he  
24 had just bought a parking space for his use and asked if that is going to drive them in that  
25 direction.

26  
27 Mr. Omana said it is going to be a function of a number of things. One is going to be how  
28 much property they have been able to aggregate and how the bulk requirements are going to  
29 impact that. We have been able to pick up one that Winter Garden has done and try to plug it  
30 into the equation. This is going to be an evolving process. If the Commission gives direction  
31 to go this route, we have to start somewhere. If we see it creates a problem, we will be the  
32 first ones back saying we need to revisit this. We want to use this as a starting point.

33  
34 Commissioner Brender said he was in favor of the concept. If a developer wants to maximize  
35 his building footprint then he is going to spend the money to get parking somewhere else. If he  
36 doesn't spend that money he going to have to spend it on his own site anyway. He preferred  
37 the idea that it gets put into a City fund so we can buy pieces of property that we can turn into  
38 parking.

39  
40 Deputy Mayor Lucarelli said part of her likes the concept and part is hesitant because she  
41 would rather them be proactive rather that reactive. She didn't want to wait until we had a  
42 problem and wonder what to do. She didn't want to see them creating a problem. There  
43 already is an issue with parking and was afraid this would compound that.

44  
45 Commissioner Brender said the whole point of this is to develop new parking spaces.  
46

1 Deputy Mayor Lucarelli asked how soon after that starts were we going to build a lot or garage.

2  
3 Commissioner Brender said we already have a head start. We put in 80-90 spaces on  
4 Seminole Avenue.

5  
6 Deputy Mayor Lucarelli said they were full the other night so that's going to start overflowing  
7 pretty soon. Moneywise it helps building that bank but was concerned.

8  
9 Mayor Mealor asked if there was any objection to this proposal at \$5,000 per space and having  
10 staff bring it back to us. Simply go across the street from Delano's. They are building the  
11 building and are going to need parking. Here is part of the process and we are already  
12 recouping part of our investment to reinvest back into the community. He thought there was  
13 some real merit to the discussion.

14  
15 Deputy Mayor Lucarelli said there is but we need to be careful, proceed cautiously and keep a  
16 close eye on it.

17  
18 Mayor Mealor said it does create a potential amenity for a developer that may not be there  
19 right now and is what he liked about this proposal.

20  
21 **It was the consensus of the Commission to proceed with Downtown parking revisions**  
22 **and have staff bring it back for consideration.**

23  
24 Ms. Sova said she had another item that has come up this week. When we annexed Phase 4  
25 of Huntington from the County in 2006, we didn't take the roads. We have been maintaining  
26 the roads but they are still county owned. The County has approached us and asked us to  
27 take those roads. Mr. Paster feels maintenance-wise we are okay because we have been the  
28 ones maintaining them. It seems like the logical thing to do. Some confusion has come up  
29 when things have happened as to whose road is it. Because we annexed into the City but  
30 didn't take the roads it seems like a disconnect there. She thought that was favorable and  
31 should move ahead. What is bothersome is they have also asked the City to take Emma Oaks  
32 Trail. It lacks a sidewalk and citizens have asked about a sidewalk on Emma Oaks Trail.

33  
34 Deputy Mayor Lucarelli interjected that a sidewalk was promised.

35  
36 Mayor Mealor asked by whom to whom.

37  
38 Deputy Mayor Lucarelli said Brett Blakadar of Seminole County to the Huntington HOA. She  
39 said she had e-mails to that effect.

40  
41 Mayor Mealor said the City Manager met with the County Manager and the Chairman of the  
42 County Commission and thought there was an excellent working relationship. He asked if  
43 there was anyone opposed to the City Manager following up on the request to bring those  
44 roads into the City's inventory and have a discussion about Emma Oaks Trail and the status of  
45 a sidewalk that was in the works at one time.

1 Ms. Sova said she would go back with that question specifically and the intersection. She said  
2 Mr. Paster says the intersection is no longer an issue and the cut-through is working.  
3 Commissioner Lucarelli travels there and asked what she thought about the intersection.

4  
5 Deputy Mayor Lucarelli said she doesn't live in Phase 4 and doesn't have to deal with it but  
6 hasn't noticed the backup that there used to be, especially with the right-hand turn lane. She  
7 hasn't noticed the congestion that there used to be.

8  
9 **It was the consensus of the Commission for the City Manager to move forward with the**  
10 **request.**

11  
12 There being no further business, the work session adjourned at 6:20 P.M.  
13

1  
2  
3 **SIDE 2A**

4 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held February 7, 2013, 7:00  
5 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake Mary,  
6 Florida.

7  
8 I. Call to Order

9  
10 The meeting was called to order by Mayor David Mealor at 7:03 P.M.

11  
12 II. Moment of Silence

13  
14 III. Pledge of Allegiance

15  
16 IV. Roll Call

17  
18 Mayor David Mealor Jackie Sova, City Manager  
19 Commissioner Gary Brender Carol Foster, City Clerk  
20 Commissioner George Duryea Dianne Holloway, Finance Director  
21 Commissioner Allan Plank John Omana, Community Dev. Dir.  
22 Deputy Mayor Jo Ann Lucarelli Gary Schindler, City Planner  
23 Steve Noto, Planner  
24 Dave Dovan, Asst. Public Works Dir.  
25 Bryan Nipe, Parks & Recreation Dir.  
26 Randy Pettitt, Human Resources Mgr.  
27 Steve Bracknell, Police Chief  
28 Bruce Fleming, Code Enforcement Ofc.  
29 Craig Haun, Fire Chief  
30 Katie Reischmann, City Attorney  
31 Mary Campbell, Deputy City Clerk  
32

33 V. Approval of Minutes: January 17, 2013

34  
35 **Motion was made by Commissioner Plank to approve the minutes of the January 17,**  
36 **2013, meeting, seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

37  
38 VI. Special Presentations

39  
40 There were no special presentations at this time.

41  
42 VI. Unfinished Business

43  
44 A. Ordinance No. 1479 – Final PUD for Gander Mountain-Lake Mary, 3750 Flagg Lane,  
45 Brooks and Amaden, Inc./Nicholas Messina, applicant – Second Reading (Public

1 Hearing) (Steve Noto, Planner) **(Request by applicant to postpone until April 4,**  
2 **2013)**

3  
4 Mayor Mealor announced the applicant has requested Ordinance No. 1479 be postponed to  
5 April 4, 2013.

6  
7 **Motion was made by Commissioner Brender to postpone Ordinance No. 1479 to April 4,**  
8 **2013, seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

9  
10 VIII. New Business

11  
12 A. Request for Conditional Use Approval for Grace United Methodist Church to revise a  
13 previously approved site plan to allow up to 3,000 S.F. of additional building area for  
14 classrooms, 499 N. Country Club Road; Grace United Methodist Church, applicant  
15 (Public Hearing) (Gary Schindler, City Planner)

16  
17 Mr. Schindler said this is a revision to a site plan. Each conditional use approval is tied to a  
18 specific site plan. On the south side of the main building there is an existing portable building  
19 that is perpendicular to Country Club Road. They are proposing to remove that and replace it  
20 with up to three buildings. They will be an extension of one to the other.

21  
22 Mr. Schindler showed what was proposed on the overhead projector. He pointed out the main  
23 building, existing portable building, and the three buildings proposed that would be parallel to  
24 Country Club Road. Staff has reviewed this request in light of the conditions for approval and  
25 finds they meet the criteria. Staff finds the request for a conditional use to allow a church and  
26 VPK program within the A-1 zoning district does not adversely affect the public interest and  
27 meets the six aforementioned criteria for permitting a conditional use subject to four conditions  
28 as outlined in the staff report.

29  
30 Mr. Schindler said at their January 8, 2013, meeting, the Planning & Zoning Board voted  
31 unanimously to recommend approval of the proposed conditional use.

32  
33 Commissioner Duryea said when all three of these buildings are done it will be about 3,000  
34 S.F.

35  
36 Mr. Schindler answered affirmatively. Not to exceed 3,000 S.F.

37  
38 Commissioner Duryea questioned the parking.

39  
40 Mr. Schindler said they don't need any additional parking because they are not expanding their  
41 program. The programs now are utilizing space in the building and they are going to be moving  
42 it out of the building into these three buildings.

43  
44 Commissioner Brender said we are not adding kids or playgrounds.  
45

1 Mr. Schindler said none whatsoever. Except for the removal of the one building and the  
2 construction of these three, there is nothing more proposed and no additional students.

3  
4 Commissioner Plank asked if he was correct that these were permanent buildings.

5  
6 Mr. Schindler said these are permanent buildings.

7  
8 Commissioner Plank asked what their appearance would be as it relates to the appearance of  
9 the church.

10  
11 Mr. Schindler said he didn't know but they will certainly be more attractive than the existing  
12 modular and will meet ADA standards.

13  
14 Mayor Mealor asked if anyone wanted to speak in reference to this request. No one came  
15 forward and the public hearing was closed.

16  
17 **Motion was made by Deputy Mayor Lucarelli to approve the conditional use for Grace  
18 United Methodist Church, seconded by Commissioner Plank.**

19  
20 Mayor Mealor said to the representatives of Grace United that when they put the portable  
21 building in it was on the premise that someday they would get to where they are this evening.  
22 He congratulated them.

23  
24 **Motion carried by roll-call vote: Commissioner Brender, Yes; Commissioner Duryea,  
25 Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor Mealor, Yes.**

26  
27 B. Ordinance No. 1484 – Small scale land use amendment from COM (Commercial) to  
28 HDR (High Density Residential) for a +/- 1-acre tract located on the east side of  
29 Rinehart Road adjacent to the Legends Apartments; VHB Miller Sellen for Golfview  
30 Apartments, LLC – First Reading (Public Hearing) (Gary Schindler, City Planner)

31  
32 The City Attorney read Ordinance No. 1484 by title only on first reading.

33  
34 Mr. Schindler said at the time the Legends Apartments, previously known as Golfview  
35 Apartments, were developed the City had a requirement that a PUD had to have ten acres and  
36 two uses. It resulted in a section that was multi-family and a 1-acre tract adjacent to Rinehart  
37 Road that was commercial. It never developed. We have entered a time where apartments  
38 are the hot item. Several years ago there was a sinkhole in the back that impacted one of the  
39 buildings and had to be demolished and was rebuilt. They have decided in light of the current  
40 demand that it would make sense to develop this property with additional multi-family units.  
41 The first step in the process is to change the land use from Commercial to HDR. High Density  
42 Residential has a maximum of 9 dwelling units per acre.

43  
44 Mr. Schindler said this item was reviewed by the Local Planning Agency at their January 16,  
45 2013, meeting. They recommended approval of the proposed HDR land use on the basis that  
46 the HDR has less impact than the commercial. A commercial development in this location

1 would have to have a direct driveway onto Rinehart Road whereas the multi-family would have  
2 an internal driveway. It would consume no more water and sewer capacity than the  
3 commercial.

4  
5 Mr. Schindler said staff recommends approval of the proposed future land use amendment to  
6 the City of Lake Mary Comprehensive Plan from Commercial to HDR.

7  
8 Commissioner Plank asked what the setback requirement would be for the building since it is  
9 on Rinehart.

10  
11 Mr. Schindler said a minimum of 25 feet but there is a power line easement and no buildings  
12 can go in the power line easement per se. They will have to sit east of the power line  
13 easement which will increase their setback from Rinehart.

14  
15 Commissioner Brender said this will be an internal capture as far as their turn. They will turn  
16 into the apartments and then turn off to get to that unit.

17  
18 Mr. Schindler said that was correct.

19  
20 Commissioner Brender said they will have 9 units per acre.

21  
22 Mr. Schindler said they are proposing a development that will result in an overall density of 9  
23 dwelling units per acre. They have less than 9 units per acre for the remainder. It is  
24 anticipated to be 12 units.

25  
26 Commissioner Brender said he was having visions of Stirling Properties. He agreed the power  
27 line easement makes a difference but all that is going to do is give setback and is not going to  
28 give any kind of visual separation because you can't put trees or anything else in there.

29  
30 Mr. Schindler said you can put in understory trees. That doesn't visually screen a two-story  
31 building but the same would be true with a commercial development.

32  
33 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1484.

34  
35 Jim Hall, agent for the property owner VHB Miller Sellen, 225 E. Robinson Street, Orlando,  
36 Florida, came forward. He said the transportation impacts go down. He talked to Mike Rigby  
37 at Seminole County Schools and there is capacity for the projected number of school children.  
38 The project is internally connected and there won't be another driveway on Rinehart as it  
39 would have been. They run a nice apartment complex and have done it for a number of years.  
40 They want to continue on. They don't see any viability of this commercial use. The only  
41 reason it ever had an acre left off was because of the old rules of the mixed use. It is one  
42 building with 16 units (\*Mr. Hall misstated the number of units and is 12. See Page 19, Lines 6  
43 and 10) and it will sit back behind the power line. The front of the complex looks nice and they  
44 want to keep it looking nice because they run a good complex and that's what they intend to do  
45 into the future.

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

2  
3 Commissioner Brender said Mr. Hall mentioned 16 units and gathered that is taking into  
4 account the lesser density in the rest of the units.

5  
6 Mr. Schindler answered affirmatively. The overall density cannot exceed 9.

7  
8 Commissioner Brender expressed concern about how large 16 units are going to appear.

9  
10 Mayor Mealor said he thought the recommendation to the LPA was \*12 units.

11  
12 Mr. Schindler said that was his understanding.

13  
14 Mr. Hall said he might have \*misspoken. It is the exact same building that they already have  
15 there.

16  
17 Mayor Mealor said at the last meeting we talked about what would be the highest and best use  
18 of any particular property. In this case for to think there would be another curb cut there and  
19 some of the other issues, in many ways this request may be less intrusive under the  
20 circumstances. He said that was just his feeling.

21  
22 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1484 on first**  
23 **reading, seconded by Commissioner Duryea and motion carried by roll-call vote:**  
24 **Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes;**  
25 **Commissioner Brender, Yes; Mayor Mealor, Yes.**

26  
27 Mr. Hall said he graduated from Miami of Ohio in 1977 as a Phi Gamma Delta. He said he  
28 hadn't seen Commissioner Brender since he was in the pledge class.

29  
30 C. Request to reduce Code Enforcement lien from \$34,850.00 plus interest and  
31 recording fees to \$18,250.00 for property located at 605 Magnolia Lane; Freddie  
32 Crespo, Investors Real Estate, applicant (Bruce Fleming, Senior Code Enforcement  
33 Officer)

34  
35 Bruce Fleming, Senior Code Enforcement Officer, came forward. On or about January 29,  
36 2013, the City received a request from the representative of the owner of the property located  
37 at 605 Magnolia Lane to consider mitigating an outstanding code enforcement lien in the  
38 amount of \$34,850.00 plus filing fees of \$92.50 and interest of \$967.73. The total outstanding  
39 on the lien is \$35,810.23.

40  
41 Mr. Fleming gave the background on case CEB 12-039, City of Lake Mary vs. SunTrust  
42 Mortgage at 605 Magnolia Lane. On May 15, 2012, the Code Enforcement Board held a  
43 hearing and found that the property owner, SunTrust Mortgage, had violated the Lake Mary  
44 Property Maintenance Code by failure to secure or clean or drain a dirty swimming pool and for  
45 failure to register an abandoned foreclosed property with the Office of the City Clerk. The  
46 owner was required to bring the property into compliance within seven business days of the

1 hearing or pay a fine of \$250.00 per day until compliance was obtained. The Board convened  
2 again on September 18, 2012, for the purpose of having a compliance hearing. The purpose  
3 of a compliance hearing is to gauge whether or not the order had been obeyed. The Board  
4 found that the order had not been obeyed and thereby directed staff to file the lien. At that  
5 time the lien was filed for 116 days of non-compliance for a total of \$2,900.00.  
6

7 Mr. Fleming said the fine continued to accrue until Code Enforcement was notified on or about  
8 October 12, 2012, that compliance had been obtained. A subsequent inspection of the  
9 property revealed that the maintenance issues had been resolved and that is the swimming  
10 pool had been cleaned and/or drained. Further investigation revealed that the property had  
11 been registered with the Office of the City Clerk. An Affidavit of Compliance was filed by the  
12 Office of the City Clerk and the owner of the property through its agent requests a hearing  
13 before the City Commission to reduce the outstanding lien from the \$35,810.23 to \$18,250.00.  
14

15 Mr. Fleming said the property is in compliance, therefore, staff offers no objection to  
16 consideration to abate the outstanding lien provided the remittance is done within 30 days of  
17 the City Commission's decision and the filing fees and interest are calculated into the mitigated  
18 amount of \$18,250.00.  
19

20 Mayor Mealar said he understood there is a buyer and they are waiting on this action before  
21 that buyer can take possession.  
22

23 Mr. Fleming deferred that question to the owner's representative who was present.  
24

25 Freddie Crespo, 1725 Shady Rest Court, Lake Mary, Florida, came forward. He thanked the  
26 Commission for hearing this but wanted to clarify a couple of things. He doesn't represent  
27 SunTrust but represents Fannie Mae who inherited the property from SunTrust. According to  
28 our paperwork the property was foreclosed on August 2, 2012. He received the notice on  
29 August 9<sup>th</sup> to go to the property and see what the situation was and at that point we started  
30 ordering vendors and cleanup crews and within 30 days the property was up to standard.  
31 From the date of the foreclosure of August 2<sup>nd</sup> to the date when Officer Fleming verified the  
32 property was in compliance is how we came up with that \$18,250.00 number.  
33

34 **Motion was made by Commissioner Brender to reduce the Code Enforcement lien on**  
35 **605 Magnolia Lane to \$18,250.00 plus \$92.50 filing fee and accrued interest of \$967.73**  
36 **(total due \$19,310.23) provided full remittance is received within 30 days, seconded by**  
37 **Deputy Mayor Lucarelli and motion carried by roll-call vote: Commissioner Plank, Yes;**  
38 **Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes; Commissioner Duryea, Yes;**  
39 **Mayor Mealar, Yes.**  
40

41 IX. Citizen Participation  
42

43 Tim Backus, 355 W. Lakeview Avenue, came forward. He thanked the Commission for the  
44 opportunity to address them. The purpose for coming tonight is the incident that his wife Leah  
45 and Mayor Mealar stumbled into a few weeks ago when they came across some badly soiled  
46 clothing on Lakeview Avenue. He was talking an entire ensemble of pants, shirt, ball cap, and

1 a pair of badly soiled adult underwear almost directly in front of his home and his neighbor's  
2 home who is a single woman, as well as next door to another neighbor's home who is a single  
3 woman and a widow. Both women have lived here almost their entire lives and have not seen  
4 anything like this, nor has he or his family. He decided to report it to the police. He found the  
5 scene sad because homelessness is a sad condition just as mental illness is, but also a  
6 brazen sign that our city's increasing homeless population is reaching a new level and with it  
7 new problems.

8  
9 Mr. Backus said the officer arrived and gave him a piece of information he found not only  
10 disturbing but unacceptable. He said the officer said they had orders to not enforce the city  
11 ordinances. He meant they were under orders to not arrest illegal camping. He said he has  
12 spoken to numerous experts in the field of homelessness and addiction and they all agree the  
13 homeless will find the cities where they encounter the least resistance to their way of life.  
14 Compassion is one thing. He and his family have held many homeless people who cross their  
15 path over the years as recently as Christmastime in Timacuan, which he would get to later.  
16 Promoting lawlessness is unbiblical, not particularly effective governing, and never leads to a  
17 good thing, including a compassionate solution. He said he didn't know the specific reason  
18 they are under orders to not arrest illegal campers and suspected it had much to do with  
19 funding and budgets, but the vast majority of these campers are addicts, alcoholics and  
20 approximately half of them according to official statistics are mentally ill. Our state and federal  
21 governments talk a good game on TV but in reality they are dumping their problems on us and  
22 fear we are tempting fate when we ignore the ordinances.

23  
24 Mr. Backus said the following are just a few incidences plucked from his memory that he has  
25 observed or been a part of just over the past few years. His and his wife's car was broken into  
26 about a year ago by a drifter and it cost over \$1,000 and the guy was never caught. His  
27 neighbor, Ty Dedman, across the street had a power tool walk away from his shed in close  
28 proximity to Lakeview Avenue. His other next door neighbor had his lawnmower stolen but  
29 was later recovered in some woods. He was told by the officer there was an elaborate camp  
30 of homeless people behind Home Depot. There is a semi-permanent couple stationed in that  
31 parking lot with their dog a year or more. He heard of another behind Gander Mountain from  
32 the same officer where the homeless left a giant mess behind when they moved on. He  
33 counted four long-term homeless people in the Publix parking lot for a long period as well.  
34 They have both a bike and a mini-van. One man he knew had been there at least a year.

35  
36 Mr. Backus said back to the Timacuan story. Over the holidays he was riding his bike one  
37 evening when he came across a family of four—a man, woman and two toddlers 1 to 3 years  
38 old—at the parking lot of Publix where it dumps into Timacuan. He thought it was an odd sight  
39 to see a homeless couple with the standard cardboard sign. He stopped to talk to them and he  
40 spoke practically no English. When he got home from his ride he took his wife and son to  
41 Publix to try to get their story. His wife bought them a \$50 gift card from Publix and he gave  
42 them \$20 for their gas situation to try to get them farther north--he got that much out of them.  
43 He sneered at the \$20 and practically threw the gift card on the ground and guessed he  
44 wanted more for the gas effort.

1 Mr. Backus said many of the woods around here have squatting in them. One evening around  
2 11 P.M. a man entering the woods across the street from his home and where the Mayor is  
3 building his home was walking into the woods and was either going shopping in his neighbor's  
4 shed again or going back there to relieve himself. He never found out which because he  
5 hopped on his bike and left before we could finish the conversation.

6  
7 Mr. Backus said another story on the gazebo. About a year/year and a half ago his wife ran up  
8 here in the morning for some exercise and she came across a man who had been up here  
9 several mornings reading the bible and praying either at the fountain or at the gazebo. He  
10 seemed reasonable and rational. We came up in the evening and he was camped out on the  
11 gazebo with his sleeping bag. We got to know him a bit and got his story and encouraged him  
12 to call his family on his cellphone, which he did. He took the cellphone home and called his  
13 family back and explained what he was doing because he wasn't totally honest about that. We  
14 would bring him sandwiches and water for a few nights and finally talked him into letting us  
15 take him home. He had walked from the far side of Orlando over by the airport.

16  
17 Mr. Backus said two weeks ago his wife ran up here and was at the foot of the bridge and  
18 there was a man bent over. The homeless sleep on the bridge. He assumed they get there  
19 late at night after a bender and when morning traffic picks up they wake up and move on.  
20 When she got around 6-6:30 in the morning there was a man bent over vomiting. Two hours  
21 later when she brought their son to school—we walk over the bridge every single morning and  
22 afternoon—there was a giant pile of vomit that they all had to walk around. We know how  
23 many kids are in this area and this is a hub for a lot of homeless people in the off hours in the  
24 morning and evening.

25  
26 Mr. Backus said he could go on but you see his point. We are tempting fate. The vast majority  
27 of these people are not simply down on their luck. They have substance abuse problems that  
28 require professional help. If you leave it up to them they will choose the streets every time until  
29 something bad happens. He said for the record he is part of a Christian ministry, Prison  
30 Fellowship Ministry. This morning he met with several chaplains and department of correction  
31 officers to discuss setting up a faith-based program for inmates at the Bridge of America  
32 transition house. He is not hard core legalistic about this. He recognized the problems these  
33 people have. He has spoken to some CEOs of the nation's largest shelters and they all say  
34 leaving them on the street is not compassionate and eventually will lead to something bad. He  
35 said leaving them on the street is leaving them in darkness and allowing darkness to gain a  
36 foothold in Lake Mary.

37  
38 Mayor Mealor asked Chief Bracknell to respond and update the Commission.

39  
40 Chief Bracknell said there are quite a few more homeless people living in the City.  
41 Homelessness is not a crime. We have quite a few families and we meet with them. We  
42 spoke to the gentleman and lady at Home Depot today and they do not want to move and  
43 Home Depot does not want to evict them. The way we are getting involved is through trespass  
44 warnings. When property owners see these individuals such as just recently Chick-Fil-A gave  
45 a trespass warning to that couple. The gas station just gave a trespass warning. Then we can  
46 get involved. Outside of that we offer them help if they want it. Many of them have mental

1 illness. We had one gentleman living in front of the post office who was a disabled veteran. He  
2 hated law enforcement and we checked on him often and he would show his key because he  
3 had a post office box and would get his check once a month. He wasn't going to move. We  
4 finally arrested him when he assaulted a police officer.

5  
6 Chief Bracknell said we had a gentleman living on Fourth Street for a quite a while. It is being  
7 redesigned and rebuilt now and the lady evicted him. He moved to the squirrel lady house and  
8 we kicked him out of there. We try to help people. We have cash in the police department and  
9 we will give people help. Often people will not want the cash. There are over 1,800 homeless  
10 families in Seminole County. It is a problem. Harvest Time International received a \$1.5  
11 million grant for the County and supplemented it themselves with another half million dollars  
12 and their whole purpose is to help those families that want help. We had police officers trying  
13 to buy blankets for a lady living by the BP station but she didn't want help but wanted a hot cup  
14 of coffee. Being homeless is not against the law. If they are trespassing and you want them  
15 off your property, we will do it. If Home Depot wants to evict that man, woman and dog we will  
16 evict them, but they have to tell us to do that. We cannot just arbitrarily do that. As far as  
17 sleeping on a park bench, civilians have a right to be there. He categorically denied that his  
18 officers have been told to not enforce that; just the opposite. He said he would love to know  
19 that officer's name.

20  
21 Mayor Meador said Mr. Backus has brought this to our attention. He advised Mr. Backus that  
22 any time there is concern by him or any of his neighbors to reach out to Chief Bracknell and  
23 there will be a response. We appreciate Mr. Backus bringing this to the Commission's  
24 attention. It was a disturbing sight.

25  
26 No one else came forward and citizen participation was closed.

27  
28 Mayor Meador thanked the representatives of the Forest for being present. We appreciate the  
29 support we receive from that community.

30  
31 X. Reports

32  
33 A. City Manager

34  
35 1. Surplus of Parks Unit #527 – Jacobson Tri-King mower

36  
37 Ms. Sova this is a request to surplus Unit #527, a Jacobson Tri-King mower. It is a spare  
38 mower and we aren't using it. She requested it be declared surplus and authorize her to  
39 dispose of it.

40  
41 **Motion was made by Commissioner Plank to declare Parks Unit #527 surplus and**  
42 **authorize the City Manager to dispose of, seconded by Deputy Mayor Lucarelli and**  
43 **motion carried unanimously.**

44  
45 2. Surplus five "Symbol" Pocket PC Handheld ticket Writers

1 Ms. Sova said this is a request to surplus five "Symbol" pocket PC handheld ticket writers. One  
2 has a bad battery and the others we are no longer using since converting to an I-Tech program  
3 for ticketing and crash reporting. She requested the Commission declare those five ticket  
4 writers surplus and authorize disposal.

5  
6 **Motion was made by Commissioner Brender to declare five "Symbol" pocket PC ticket  
7 writers surplus (Serial Nos. 6295520800505, 6284520800490, 6296520801006,  
8 6284520800890, 6289520800005) and authorize the City Manager to dispose of,  
9 seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

10  
11 3. Reappointment to Code Enforcement Board

12  
13 Ms. Sova said this is appointments/reappointments to the Code Enforcement Board. The  
14 terms of Allan Hall, Taylor Tremel and Linda Binkley expire at the end of February. All  
15 members are interested in being reappointed if the Commission desires. It is a three-year  
16 term.

17  
18 **Motion was made by Commissioner Plank to reappoint Allan Hall, Taylor Tremel, and  
19 Linda Binkley to the Code Enforcement Board, seconded by Deputy Mayor Lucarelli and  
20 motion carried unanimously.**

21  
22 Ms. Sova said the Public Works Director would like to do a carp program in West Crystal Lake.  
23 We have told the owners there that we would inform them when we are going to do something.  
24 We have had success with that and are going to move forward.

25  
26 Ms. Sova said we have updated information regarding the potential of the Rinehart Sports  
27 Complex. She got a copy of a letter that DEP wrote to the Siemens folks about the cleanup  
28 and about the reports being late. They asked for an extension and they were late again and  
29 they have been informed they will be fined if they don't have their report by February 11<sup>th</sup> so  
30 they are being pressured to get their updated environmental study turned in. The County is  
31 working with Steve Noto on numbers and thought it would be prudent to have Dr. Tom  
32 Tomerlin, the County's Economist, meet with the Commission because he is sharing the  
33 numbers with the County and working with Steve and is the one who could answer most of the  
34 questions. There is a lot of complexity to one of the questions we have asked and thought he  
35 was the best person to get that question as close to closed as we can get. He says the  
36 answer would take about three months and \$30,000 worth of study time and that was more  
37 than what we were expecting. She said she would like to have him at the next meeting to talk  
38 to us.

39  
40 Mayor Meador said it was Commissioners Brender and Duryea that were looking at this  
41 information. He asked if that would be acceptable based on what the City Manager proposed.  
42 There were no objections from the Board.

43  
44 Ms. Sova said the Shred-A-Thon was a success. The vehicle count was 835, up about 125  
45 from last year. We shredded 42,020 pounds which was an increase of about a ton from last  
46 year. We got \$8,655 in donations.

1  
2 Ms. Sova said we closed on the property at 140 East Wilbur Avenue yesterday, the new  
3 community building. Kathy (Gehr) and crew were in there today sizing the place up. We have  
4 had a consultant come in about the HVAC system.

5  
6 Ms. Sova said Kathy Gehr was selected by other employees as the City Employee of the  
7 Fourth Quarter and we are very proud of her.

8  
9 Ms. Sova said the new flooring at the Events Center is down and it is looking wonderful.

10  
11 Ms. Sova said last night we had WineArt Wednesday and estimate the attendance of 1,500.  
12 There was a steady crowd all evening. We had 35 artists and the food establishments did  
13 well. Sales at the stores they're not as sure. She didn't know if everybody knew what to  
14 expect when it came to the stores as far a foot traffic. The beer and wine garden sold about  
15 300 beer and wine combined. It was very successful.

16  
17 Mayor Meador said Ms. Sova mentioned the 140 East Wilbur Avenue which will be the  
18 community center. He asked if we had a designated representative to meet with the  
19 Trailblazers group. They are scheduled to meet this Friday.

20  
21 Commissioner Plank said Mr. Nipe would be there.

22  
23 B. Mayor

24  
25 Mayor Meador said today he had the privilege of representing the City at the Chamber of  
26 Commerce breakfast. Each of the seven city mayors gave an update. One thing he thought  
27 was abundantly clear is that we are very fortunate with the team that has been assembled. It  
28 was interesting we were talking on almost the first year anniversary of our city manager's  
29 tenure and there was a great deal of positive feedback related to what has been accomplished  
30 and the direction the City is going. He thought the WineArt Wednesday last night was a very  
31 good example.

32  
33 Mayor Meador said stop and look what we are able to do in this community. He thanked the  
34 County Commission and County Manager. They have been incredible partners and thought  
35 we would see the true value of that partnership shortly.

36  
37 **SIDE 2B**

38 C. Commissioners (2)

39  
40 Commissioner Duryea said everyone enjoyed themselves at WineArt Wednesday.

41  
42 Commissioner Plank thanked the Rotary and members of the Senior Center and others who  
43 volunteered to make the Shred-A-Thon successful. We could not have done it without them.  
44 Before we opened at the new location the cars were all the way back to Rinehart Road, but in  
45 20 minutes after we opened, we had cleared all those cars which was a completely different

1 story last year. The volunteers deserve a lot of credit as does Jim Guidinas for finding that  
2 location and getting approval.

3  
4 Commissioner Plank said the School Board had its workshop last night on the north zone  
5 rezoning. They went over questions they had on the floor plans that were presented. There  
6 were some changes recommended by staff. The next School Board meeting is the 26<sup>th</sup> of  
7 February where the superintendent will present the recommended plans for the north phase  
8 and is the phase that affects Lake Mary. That will be publicly advertised, there will be  
9 opportunity for public input again, and then the final plan will be presented in early March.

10  
11 Commissioner Plank reminded everyone that Lake Mary Celebrates is March 2<sup>nd</sup> at Central  
12 Park. In the past we have had over 100 vendors. We will have good food truck representation  
13 this year. There will be entertainment.

14  
15 Commissioner Plank said the Quilt and Fabric exhibit will be at the museum until March 2<sup>nd</sup>.

16  
17 Deputy Mayor Lucarelli said she attended the Seminole State College master plan viewing. It  
18 is cool the way they are being creative with the campus. They have a road going under a  
19 building to maximize the connectivity between the whole campus.

20  
21 Deputy Mayor Lucarelli said she attended the Freight Advisory Committee meeting. It doesn't  
22 affect Lake Mary a lot but it is cool to see what is going on in the state. There are inter-modal  
23 inland ports coming on line, one in Ocala and another further south. There is a lot of  
24 excitement in those communities as far as getting freight, manufacturing and having more  
25 outbound and inbound goods. Ninety-eight percent of our trucking is outbound.

26  
27 Deputy Mayor Lucarelli said she attended Metroplan and the big thing of interest for Lake Mary  
28 would be the quiet zone situation. There has been a change. The general SunRail consultant  
29 is going to handle the quiet zones as far as doing the concept plans. We are still getting the  
30 funds but they are going to be working with our staff on the concept plans. It will be done  
31 under the current FDOT contract which expedites the process. It is under the state fiscal year  
32 2013 which ends in June. Work should start soon after that.

33  
34 Commissioner Brender said CALNO met last night at the City of Casselberry. We were glad to  
35 welcome Commissioner Lee Constantine as the county representative. Lee was a former  
36 chairman of that organization and a big believer in how effective it is. Casselberry put together  
37 a presentation on their CRA which is separate but part and parcel to the 17-92 CRA which the  
38 County and Lake Mary are involved in. They have had some setbacks and the names of  
39 developers have changed but they are hopeful things will come back. We had it at their newly  
40 renovated recreation center. He mentioned Lake Mary was in the process of putting together a  
41 community center. If we happen to need some plans assistance they just finished a major  
42 overhaul of the rec center which is about a mile east of city hall.

43  
44 D. City Attorney  
45

1 Ms. Reischmann said on the Internet café issue, the article in the paper said the County had  
2 settled the lawsuit but it is not settled and litigation continues. They have a trial scheduled for  
3 November. That ordinance will apply in the cities so we are following that with interest.

4  
5 Ms. Reischmann said there was a lawsuit filed by Scenic America to overturn a Federal  
6 Highway Administration ruling that digital billboards could be allowed along federal highways.  
7 They are saying that violates Lady Bird Johnson’s Highway Beautification Act and these are  
8 shining into people’s homes. They are being allowed to proliferate on the federal highways.

9  
10 Ms. Reischmann said Sarasota County’s ban on smoking was thrown out by the courts  
11 reiterating again that it’s up to the state on smoking in public areas.

12  
13 XI. Adjournment

14  
15 There being no further business, the meeting adjourned at 7:55 P.M.

16  
17  
18  
19 \_\_\_\_\_  
20 David J. Mealor, Mayor

\_\_\_\_\_

Mary Campbell, Deputy City Clerk

21  
22  
23  
24 ATTEST:

25  
26  
27  
28 \_\_\_\_\_  
29 Carol A. Foster, City Clerk