

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held March 19, 2015, 7:00  
2 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake Mary, Florida.

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4  
5 1. Call to Order

6  
7 The meeting was called to order by Mayor David Mealor at 7:02 P.M.

8  
9 2. Moment of Silence

10  
11 3. Pledge of Allegiance

12  
13 4. Roll Call

14  
15 Mayor David Mealor Jackie Sova, City Manager  
16 Commissioner Gary Brender Carol Foster, City Clerk  
17 Deputy Mayor George Duryea Dianne Holloway, Finance Director  
18 Commissioner Sidney Miller Steve Noto, Deputy City Planner  
19 Commissioner Jo Ann Lucarelli Bryan Nipe, Parks & Recreation Director  
20 Tom Tomerlin, Economic Development Mgr.  
21 Wanda Broadway, Human Resources Mgr.  
22 Steve Bracknell, Police Chief  
23 Frank Cornier, Fire Chief  
24 Katie Reischmann, City Attorney  
25 Mary Campbell, Deputy City Clerk

26  
27 5. Approval of Minutes: February 19, 2015 – Regular Meeting  
28 February 26, 2015 – “Special Called” Meeting  
29 Work Session/Strategic Planning  
30

31 **Motion was made by Commissioner Lucarelli to approve the minutes of the February 19,**  
32 **2015, meeting, seconded by Commissioner Brender and motion carried unanimously.**

33  
34 **Motion was made by Commissioner Brender to approve the minutes of the February 26,**  
35 **2015, Special Called Meeting, Work Session/Strategic Planning Session, seconded by**  
36 **Commissioner Lucarelli and motion carried unanimously.**

37  
38 6. Special Presentations

39  
40 There were no special presentations at this time.

41  
42 7. Citizen Participation

43  
44 No one came forward at this time and citizen participation was closed.

45  
46 8. Unfinished Business

1  
2 There was no unfinished business at this time.

3  
4 9. New Business

5  
6 A. Ordinance No. 1524 – Amending Sections 92.30 – 92.39 of the Code of Ordinances,  
7 Lake Mary Events Center – First Reading (Public Hearing) (Bryan Nipe, Parks &  
8 Recreation Director)

9  
10 The City Attorney read Ordinance No. 1524 by title only on first reading.

11  
12 Ms. Sova said this is clarification of Events Center fees. Staff does have considerable problems  
13 from time to time calculating fees because people add them on, take them off, and the sales tax  
14 has to be added, sales tax has to be removed. We go through a lot of financial manipulation  
15 without a great result.

16  
17 Mayor Mealor said Leadership Orlando held one of their organization sessions at our Events  
18 Center this week and he received a number of positive compliments.

19  
20 Mr. Nipe said this is a proposal to update the ordinance and fees for the Lake Mary Events  
21 Center. The proposal will allow us to be more efficient and provide more clarity to our customers  
22 as they are researching our fees online or in our book. Currently when you look at our fees we  
23 have a three-page fee structure before you get to some common questions. More often than  
24 not people look at this and say they don't understand what's going on and then make a phone  
25 call and staff handles the phone call. It would allow our staff to focus on planning, the facility,  
26 and everything else. With our automated booking software all the information in here becomes  
27 cumbersome and bogs the system down. This would allow us to be more efficient.

28  
29 Deputy Mayor Duryea asked if they were changing the fee structure or just consolidating it.

30  
31 Mr. Nipe said we are changing the fee structure. We are removing some fees that we don't feel  
32 are applicable anymore. We are raising the fees just a bit to cover the AV which will be  
33 consolidated. For example, any time you rent the ballroom the AV will be provided. This makes  
34 it easier for our day-of staff. If you don't initially rent with AV but then show and say I would like  
35 to have AV then our day-of staff has to take the cash and it has to be added to the contract and  
36 that becomes cumbersome. This also would be added value. When you come to our facility we  
37 say AV is included.

38  
39 Commissioner Brender said he noticed the weekend rates which are Friday, Saturday and  
40 Sunday are going to be whole building rentals.

41  
42 Mr. Nipe said they were already whole building rentals. Thursdays now will be a whole building  
43 rental because that is a busy day. He gave an example. Say January 2016 I come to the facility  
44 and want to rent Ballroom B which partitions up the ballroom and I just want to rent that for a  
45 couple of hours on a Thursday night. We can rent that to you but what if somebody else comes  
46 next week and they want to have a full building rental for a wedding. You then have the whole

1 building that could be rented out to 300 people but now you have it isolated to a partition and  
2 you only have 20 people for a night.

3  
4 Ms. Sova said when we established our original fees we did not have our new community  
5 building. We have an alternative now rather than having to break the building up into smaller  
6 portions.

7  
8 Mr. Nipe said that is where the hourly rates come into play.

9  
10 Commissioner Brender asked Mr. Nipe if he had noticed things declining with the Community  
11 Center and the Noah's event center.

12  
13 Mr. Nipe said we had our busiest month at the Events Center the month of February so we are  
14 doing very well. We are almost covering our costs at the Community Center. Both places are  
15 busy. When we can't meet the demand of a smaller party at the Events Center, our staff at the  
16 Events Center is doing cross selling and sending them to our Community Center. It is working  
17 out quite well.

18  
19 Commissioner Miller asked if they had compared our rates to Noah's.

20  
21 Mr. Nipe said Noah's is quite a bit higher. In terms of rates we did do a rate increase two years  
22 ago but we are much lower than Noah's.

23  
24 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1524. No one  
25 came forward and the public hearing was closed.

26  
27 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1524 on first**  
28 **reading, seconded by Commissioner Miller and motion carried by roll-call vote:**  
29 **Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner Miller, Yes;**  
30 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

31  
32 10. Other Items for Commission Action

33  
34 There were no items to discuss at this time.

35  
36 11. City Manager's Report

37  
38 A. Items for Approval

39 1. Request for support of Seminole Cultural Arts Council (SCAC) beautification  
40 program along 17-92

41  
42 Ms. Sova said this is a request from the Seminole Cultural Arts Council to provide beautification  
43 for crime prevention through environmental design along the 17-92 corridor by wrapping traffic  
44 signal boxes with art.

45  
46 Mr. Noto showed some examples of the art on the overhead.

1  
2 Ms. Sova said what they would like to do is gain the cities' support prior to taking it to the County  
3 CRA on April 14<sup>th</sup>. On the screen are examples from the County Commission's packet,  
4 examples of wrapping the traffic signal boxes with different forms of art. We have one in the city  
5 on 17-92.  
6

7 Ms. Sova said what they are looking to ask the CRA over a three-year period is \$28,000 for the  
8 first year, \$25,000 the second year, and \$7,000 in the third year. This would be a CRA item and  
9 we are a member of that CRA. Staff has no recommendation.  
10

11 Commissioner Lucarelli said she didn't think they are going to get anywhere with this knowing  
12 the direction of the CRA Board right now. They have cut out many grants, have cut out a lot of  
13 funding, and they want it specific to infrastructure and things that are going to actually help the  
14 CRA develop rather than aesthetics. They have said they would not fund any more landscaping  
15 which concerns her. She wasn't sure she wanted Lake Mary to continue in the CRA. We have  
16 been promised our project as far as the median on 17-92 when DOT does their improvements.  
17 It was still going to be a City/County partnership and was not sure where that stands right now.  
18 We are basically putting money in and getting nothing out.  
19

20 Mayor Mealor asked Commissioner Lucarelli if her recommendation would be to stand silent on  
21 this item.  
22

23 Commissioner Lucarelli answered affirmatively.  
24

25 **It was the consensus of the Commission to stand silent on this item.**  
26

27 2. Request for expenditure from Law Enforcement Trust Fund  
28

29 Ms. Sova said this is a request for expenditure from the Law Enforcement Trust Fund for items  
30 that will raise awareness of crime prevention and safety practices with our police department.  
31 These are handout materials: pens, whistles, magnets, challenge coins, stickers and things they  
32 hand out at public events and schools. For large community events they are requesting a  
33 personalized pop-up tent for their community relations booth. The total cost for the handout  
34 items would be \$10,077.88 and the cost for the tent \$1,467.37. She asked the Commission to  
35 authorize the purchase of these law enforcement materials in an amount not to exceed  
36 \$11,545.25.  
37

38 **Motion was made by Commissioner Miller to authorize the expenditure from the Law**  
39 **Enforcement Trust Fund in an amount not to exceed \$11,545.25 for handout items**  
40 **outlined in staff report and a pop-up tent, seconded by Commissioner Lucarelli and**  
41 **motion carried unanimously.**  
42

43 Commissioner Brender asked what was left in the Law Enforcement Trust Fund.  
44

45 Ms. Holloway said she would let them know.  
46

1                   3. Surplus of Glock Handguns  
2

3 Ms. Sova said this is a request to surplus three Glock handguns. The serial numbers are listed  
4 for these Generation I Glock 22's. With authorization we intend to trade these in. She requested  
5 the Commission declare these handguns surplus and authorize them to be traded in.  
6

7 **Motion was made by Commissioner Brender to declare three Generation I Glock 22**  
8 **handguns (Serial Nos. DWF959, DWF960, DEU314) surplus and authorize City Manager to**  
9 **dispose of via trade, seconded by Commissioner Lucarelli and motion carried**  
10 **unanimously.**

11  
12                   4. Surplus of Sound System  
13

14 Ms. Sova said this is a request to surplus the smaller sound system used by the Parks &  
15 Recreation Department. It has ended its useful life. We will not be purchasing another one. We  
16 feel we can do short-term rentals at a better return for the City. She requested the Commission  
17 declare the sound system surplus and authorize its disposal.  
18

19 **Motion was made by Commissioner Miller to declare Anchor XTR 550 sound system at**  
20 **the Community Center surplus and authorize City Manager to dispose of, seconded by**  
21 **Commissioner Lucarelli and motion carried unanimously.**  
22

23                   B. Items for Information

24                   1. Appointment to Metroplan's Transportation Systems Management and Operations  
25                   (TSMO) Committee  
26

27 Ms. Sova said in the packets is a letter to Metroplan Orlando appointing John Omana and as an  
28 alternate Steve Noto to the Transportation Systems Management and Operations Committee.  
29

30 Ms. Sova said Family Fun Day will be held on April 4<sup>th</sup> from 10:00 A.M. to 3:00 P.M. at Central  
31 Park.  
32

33 Ms. Sova said youth summer camp will be held June 1<sup>st</sup> through August 14<sup>th</sup> at the Community  
34 Center. Registration for city residents will be held March 30<sup>th</sup> through April 10<sup>th</sup> with open  
35 registration beginning April 13<sup>th</sup>. One-week sessions are \$100 for residents and \$125 for non-  
36 residents. The camp is available for children 6 to 11 years old.  
37

38 Ms. Sova said to stop by the Lake Mary Historical Museum at 158 North Country Club Road  
39 beginning Saturday through May 25<sup>th</sup> as they honor our military, both current and past. Uniforms,  
40 books, toys and many artifacts from the past will be on display. The museum is open Tuesdays  
41 and Saturdays from 10:00 A.M. to 3:00 P.M. and Wednesdays and Thursdays from noon until  
42 8:00 P.M.  
43

44 Ms. Sova said April 1 is coming up and is when all of our exempt employees are evaluated for  
45 the year. She will have the City Clerk send the Commission one for herself.  
46

1 Mayor Mealor asked if those reports come through him or are they sent to HR.

2  
3 Ms. Sova said for hers the clerk would send them out and the Commission can send them back  
4 through the her.

5  
6 12. Mayor and Commissioners Reports (2)

7  
8 Mayor Mealor said there was the very successful opening of our Lake Mary Little League and  
9 we received a lot of positive comments about the work that our staff has done in making that  
10 facility available to our Lake Mary families.

11  
12 Mayor Mealor said the Timacuan Homeowners' Association had their spring meeting and  
13 appreciated those in attendance and Commissioner Miller serving as the informal liaison to that  
14 group.

15  
16 Mayor Mealor said the Forest Talent Show was a big hit.

17  
18 Mayor Mealor said the Private Business Association of Seminole in Lake Mary hosted John Mica  
19 last week. His update was most informative and he has been incredibly helpful to this city. We  
20 appreciate his efforts.

21  
22 Deputy Mayor Duryea said Mr. Nipe was able to repair the batting cages. Those should be  
23 falling down by now.

24  
25 Mr. Nipe said they are over 20 years old. Between our electrician and a gentleman who works  
26 on our maintenance staff that repairs Humvees one weekend a month for the National Guard,  
27 they were able to get them up and running. We spray painted them and made them look fairly  
28 new. We did budget for replacement but we've got them tweaked and they are running pretty  
29 well right now. We hope to expand the operation out there to get some more hours so we can  
30 open it up to guys who want to hit a ball on Sunday.

31  
32 Deputy Mayor Duryea asked about the screening.

33  
34 Mr. Nipe said that was replaced a few years back and the product put in place has held up well.  
35 Our staff goes out with zip ties and ties up any holes that may have started but for the most part  
36 it is in pretty good shape. It is our asset and we are trying to keep it running the best way  
37 possible.

38  
39 Commissioner Miller said he went to the Florida League of Cities meeting in Tallahassee. The  
40 League had prepared about ten items they wanted to meet with representatives and senators to  
41 discuss in the area of unfunded mandates and protecting home rule.

42  
43 Commissioner Miller said there were three meetings that he attended that were extremely  
44 interesting. The one most productive and valuable was Senator Allen Hayes and the Mayor of  
45 Apopka were in the same meeting. Both of them were doing things to clean up Lake Apopka  
46 but neither of them knew what the other was doing. When they shared information with the two

1 of them it is going to make a huge difference. The silt in some places in Lake Apopka is 15 feet  
2 deep. They have plans for how to harvest that silt and recycle it. That was a great meeting  
3 because of the synergy between those two guys.

4  
5 Commissioner Miller said there was a lot of discussion about pension funds. There is a bill  
6 floating around that might require all the cities to use the same actuarial table. The cost to some  
7 cities to do that in the current year would be \$500,000 they would have to put into the fund. The  
8 reason the legislature wants to do that is if a city goes belly up and cannot fund its pension plan,  
9 it falls to the state to take care of it so they feel they have some skin in the game. He believed  
10 the way it would finally come out is there will be a recommended actuarial table and they won't  
11 mandate what it is. He was amazed to hear some of the people talk about the percent of their  
12 pension fund that was funded. How about 60% funded. There is a requirement that it be at least  
13 80% but there were a number of cities that were clearly in trouble with funding their pension  
14 plan.

15  
16 Deputy Mayor Duryea said it sounded like a bailout to him. The idea of the state collecting  
17 monies over and above the cities' contributions to ensure that all of the cities and entities within  
18 the state have enough money to cover their pension plans.

19  
20 Commissioner Miller said what the state was saying was in the event that a city cannot fund its  
21 pension plan and goes belly up because of it and cannot fund it then it falls to the state to do  
22 that. It would be like a disaster if some city suddenly has it. The state is not putting any money  
23 in unless some city goes belly up and can't fund its pension plan.

24  
25 Commissioner Brender asked where the money was coming from.

26  
27 Commissioner Miller said nobody has gone belly up but what they're worried about is some cities  
28 have been irresponsible with their pension funds and they have actuarial tables that are grossly  
29 outdated. They use those outdated actuarial tables to justify what they are doing. The state  
30 wants to have them come up to a better standard. That's what the issue was. Where the League  
31 of Cities comes out is they don't want the state to mandate what actuarial table they use. Our  
32 financial company that helps us with our pension funds picks or recommends the actuarial tables  
33 we use. All the other cities have the same kind of thing happening in their area.

34  
35 Commissioner Miller said the bill he was most interested in and David Simmons is leading the  
36 charge on is there are 33 springs that run from Orlando and north and the bill is saying there will  
37 be an assessment in a certain district around those springs. They will assess the septic tank  
38 and nitrogen runoff from fertilizers. When they complete that assessment they will implement a  
39 plan to correct all of those. Where it got emotional and stressful is the bill is being written saying  
40 they will uphold the homeowners harmless in this effort. In other words if you have to provide  
41 sewer to there. What David Simmons is saying about this is they have tried to do this for a  
42 number of years. The aquifer is being polluted because of what we have done with septic tanks  
43 and nitrogen around our springs. If we don't fix it now then we are all going to have polluted  
44 water supplies. They have tried to do it before but the homeowners are so powerful. Down  
45 Markham Woods is septic tanks, Alaqua, Alaqua Lakes are septic tanks and those people are  
46 generally well-to-do powerful people who will cause that law to get taken off the books if you

1 make them responsible for it. David Simmons' point is we permitted those septic tanks, the  
2 cities, counties and state have created this problem by allowing people to build homes and put  
3 septic tanks in those areas and we need to fix it. The emotion got to be the League of Cities  
4 was saying initially the state wasn't going to provide any funding and David Simmons said that  
5 was totally wrong. What we are going to do is assess the problem, figure out what the fix is, and  
6 then we are going to have those people who need to spend money to fix it apply to the state for  
7 help and we will figure out how we pay for it. This is a long-term problem and a long-term fix.

8  
9 Mayor Mealor said we appreciate Commissioner Miller representing the City with the League.

10  
11 Commissioner Lucarelli said she had a wonderful week. She went to Pigeon Forge, Tennessee  
12 with her daughter for a break. We have gotten moved and settled into our new home and couldn't  
13 be happier.

14  
15 Commissioner Brender said he got an e-mail from the Florida League of Cities and the  
16 discussion was a training program for cities in CRAs. They had a brief discussion about pros  
17 and cons. We started this process of our own CRA with the County 18 years ago. He decided  
18 after reading that e-mail to pose some questions and with the help of the City Manager and Dr.  
19 Tomerlin, the numbers for the CRA from a financial point of view we are doing the City a real  
20 wrong even remaining in this thing for another two years. We have funded close to \$700,000  
21 in the CRA. We have gotten back about \$175,000 in some things around Weldon Boulevard  
22 which benefits the college more than the City. The end result for our \$700,000 we have netted  
23 zero. He could not stand here and say it is the responsible thing to do to remain in it. He  
24 proposed the City Manager schedule a work session for 20 minutes and go over some of these  
25 numbers.

26  
27 Ms. Sova said we would like to do that April 2<sup>nd</sup> at 6:30 P.M. There were no objections from the  
28 Board.

### 29 30 13. City Attorney's Report

31  
32 Ms. Reischmann said there is a bill to add a new cause of action for the governments that place  
33 what are termed illegal conditions on land use approvals or permits. There was a bill filed to  
34 create a new cause of action with attorney's fees and it would be one of its kind in the nation.  
35 The League is actively opposing.

36  
37 Commissioner Brender asked Ms. Reischmann if she could attend the April 2<sup>nd</sup> meeting because  
38 there would be some legal questions.

39  
40 Ms. Reischmann answered affirmatively.

41  
42 Commissioner Miller said he read the article in the paper about the NuRF they are doing on  
43 Soldiers Creek. That is magnificent what they are doing trying to clean up Lake Jessup. NuRF  
44 is the acronym and it is a chemical called alum that they put in there and it bonds with the polluted  
45 materials, sinks to the bottom then they can clean that off. That came up with Apopka too and

1 they are doing the same thing there. He said he didn't think we have any liability with any septic  
2 tanks near any springs.

3  
4 Ms. Sova said we are just outside of that area.

5  
6 Commissioner Brender said part of Heathrow is technically in the Wekiva Springs Basin but most  
7 of Heathrow is sewer. They have been trying to get this through for years but in order to fund  
8 what the state says they will hold harmless the residents from, the only way to do that is to make  
9 it really big. We may find the entire City of Orlando is now in the Wekiva River Basin.

10  
11 Commissioner Miller said one of the things that was said about this is there is a new kind of  
12 septic tank and believed the word they used was aerobic septic tanks. It may be the solution is  
13 not providing sewer to all these places but having them upgrade to aerobic septic systems.

14  
15 14. Adjournment

16  
17 There being no further business, the meeting adjourned at 7:37 P.M.

18  
19  
20  
21  
22 \_\_\_\_\_  
23 David J. Mealor, Mayor

\_\_\_\_\_

Mary Campbell, Deputy City Clerk

24  
25  
26 ATTEST:

27  
28  
29  
30 \_\_\_\_\_  
31 Carol A. Foster, City Clerk