

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held March 20,
2 2014, 6:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,
3 Lake Mary, Florida.

4
5

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

18

19 The work session was called to order by Mayor David Mealor at 6:05 P.M.

20

21 I. Items for Discussion

22

23 A. Timacuan Roundabout

24

25 Mr. Noto said this item came forth to staff from a member of the Timacuan HOA. He
26 said the gentleman in the audience is Jim Carles but had mainly been dealing with his
27 neighbor Matt Cormia in getting some of the exhibits that are part of the packet this
28 evening.

29

30 Mr. Noto showed an aerial on the overhead projector and it shows the roundabout in
31 question. He noted north was down on the paper. He pointed out the area where they
32 are looking to install the American flag and the additional landscaping. The reason it is
33 before the Commission is because Timacuan Boulevard and the roadway system is
34 public right-of-way. We are looking for direction on how to proceed on this matter. He
35 showed a graphic put together by Mr. Cormia who is a landscape architect and it shows
36 what the roundabout could like with the flagpole installed and the additional landscaping
37 behind it. What it doesn't show is a pedestal with a plaque on it with some inscriptions
38 in the same general area of the flag they are looking to install, the purpose being to pay
39 tribute to those living in Timacuan that have served in the armed forces and have
40 served the country.

41

42 Mr. Noto said the proposed height of the flagpole is 20 feet and the typical flag size for a
43 pole of that height is 3' X 5'. If the Commission would like staff to move forward in
44 working with the Timacuan HOA to have this installed, we would recommend the
45 applicant submit for a Right-of-Way Utilization Permit to construct the flagpole, provide
46 the City with full indemnification, and the City would provide an easement for

1 construction since it is public right-of-way. Timacuan already provides the maintenance
2 within the roundabout.
3
4 Commissioner Brender said as long as we have the legal challenges behind us and we
5 can make sure nobody is going to run into it then he had no objections at all.
6
7 Commissioner Lucarelli said she had no objection and thought it was a great idea.
8
9 Commissioner Duryea arrived at this time (6:10 P.M.).
10
11 Commissioner Duryea had no comments.
12
13 Commissioner Plank said it looks like the flag is very close to the north side and the
14 street.
15
16 Mr. Noto said that was correct. It appears to be about 5 to 10 feet within that 5 to 10-
17 foot window from the curbing.
18
19 Commissioner Plank asked if there was going to be the ability to walk around the
20 memorial.
21
22 Mr. Noto said based on the plans we received there would not be an additional walk
23 around. There is the landscaping behind it and the existing walkway along the
24 perimeter.
25
26 Commissioner Plank questioned how they were going to read what is on the plaque.
27
28 Jim Carles, 338 Mohave Terrace, came forward. He said he was a member of the HOA
29 and had worked closely with Matt (Cormia) and the other board members on putting this
30 project together. With respect to the location of the monument, as of right now it is a
31 fluid situation as to where we put that. He said he didn't think it was intended to put the
32 monument between the flagpole and curb. He thought it was going to be toward the
33 interior of the island and accessible through a turf area. He said he was sure they could
34 budget in some concrete and pour a sidewalk up to it.
35
36 Commissioner Plank said as long as it is going to be readable he had no objection.
37
38 Commissioner Brender said you could put the memorial in the middle of the island
39 behind the flagpole and make the whole island the look and that way you are not buying
40 concrete.
41
42 Mr. Carles said if we have that flexibility we are grateful for that. This is the City's
43 property and we don't want to take advantage of the situation.
44
45 Mayor Mealor asked if there were any objection to allowing them to move forward.
46 They will have to bring it back to us but let them determine the appropriate placement.

1
2 Mr. Carles said we will be submitting final drawings for permitting purposes and at that
3 point we will have the location of the monument.
4

5 B. Proposed SunRail Van Pool Grant Options 6

7 Ms. Sova said this item will be presented by Tom Tomerlin of Economic Development.
8 We decided to bring this forward because we think we have come up with a program
9 that can serve more than International Parkway which is what we had focused on. It is
10 something to get people to and from the SunRail Station at a reasonable cost.
11

12 Mayor Meador said yesterday at the East Central Florida Regional Planning Council,
13 SunRail did one of the most informative updates that he has seen them do to date.
14 They singled this particular item out and the City of Lake Mary for being proactive and it
15 generated a lot of interest. He thought the timing was good for this discussion.
16

17 Tom Tomerlin, Economic Development Manager, said this grant program came out of
18 roundtable discussions with City staff and reThink personnel and then Lynx. The
19 program is looking at where the Lake Mary SunRail Station is and where the primary
20 employee base is located. The highest employment density is associated with Interstate
21 4.
22

23 Mr. Tomerlin said the program is proposing a 50% match on the City's part of the lease
24 payment associated with the Lynx Agency Van Pool Program. He showed a flier on the
25 overhead that summarizes the program and outlines the benefits and the price. The
26 price is \$690 per month and it ranges from a 7-passenger van to a 15-passenger van.
27 We are proposing a 50% match of that \$690 lease payment. The \$690 lease payment
28 does not include the driver and is something to be worked out between Lynx and the
29 firm. It doesn't include fuel but does include insurance and maintenance. The 50%
30 match would be \$345 per month. We are proposing this \$345 per month could extend
31 for 12 consecutive months for a total award of \$4,140. At this juncture we are bringing it
32 in work shop fashion for feedback. We would like to receive feedback and modify the
33 grant program and have it come back before the SunRail starts to operate.
34

35 Mr. Tomerlin said Courtney Miller is in the audience and she and her outfit, reThink,
36 would be critical in this endeavor because that would be the group that goes out and
37 informs the employers about this program. The program is strictly attached to SunRail
38 usage. It is looking at connecting workers from the SunRail Station to their place of
39 employment. Lynx is going to administer the program. This is a financial incentive. We
40 believe this will get some notice from other communities. It is a demand-driven
41 approach toward people getting connected to their place of employment from the
42 SunRail Station stop. There are some questions we would like to discuss but at this
43 point would pause and asked if there were questions on how the program might work.
44

45 Commissioner Brender asked how many vans were they talking about.
46

1 Mr. Tomerlin said that is at the discretion of the City Commission. Staff is proposing a
2 funding level of \$25,000 and that would support six van pools.

3
4 Commissioner Brender said the price is the same regardless of the size of the van.

5
6 Mr. Tomerlin said that is the way he understood it and is clearly the way their marketing
7 material displays it.

8
9 Commissioner Brender said he was looking at numbers. Heathrow has about 45,000
10 workers. If a measly 5% are going to use SunRai, we are going to have 300 vans on
11 Lake Mary Boulevard. This may address the needs of 120 people. He questioned if
12 that is enough to do anything. It is going to address the needs of 120 people that we
13 don't address now but was still thinking and wondering what are we going to do in order
14 to make SunRail viable but at the same time take them that last 2.2 miles and get them
15 over to Heathrow.

16
17 Mr. Tomerlin said he did a straight line distance between SunRail and the Verizon
18 building and it is 2.8 miles as the crow flies. The issue of scale is one in which if the
19 City Commission wanted to entertain it could put more money towards this grant
20 program. Staff was thinking this was something we could begin offering and see how it
21 is received, what the demand might be, and during the budget cycle could allocate a
22 different funding amount. A \$25,000 funding or if you wanted to double it to \$50,000 is
23 still an order of magnitude and less than what we were looking at for private providers.

24
25 Commissioner Brender asked kind of private providers. He asked if it would be Mears or
26 something like that.

27
28 Mr. Tomerlin said that was correct.

29
30 Commissioner Brender said Lynx would never get the ridership. Somebody working in
31 Heathrow is not going to want to stop eight times along Lake Mary Boulevard before
32 they get there. We can experiment with this but was hopeful the needs come quickly.
33 We might have to explore other options, maybe some public/private sponsorships with
34 some of the employers of Heathrow with buses or a trolley system.

35
36 Mr. Tomerlin said this is a great way to get that conversation started.

37
38 Deputy Mayor Duryea asked if this grant was paid out over 12 months. It says not to
39 exceed \$345 a month over 12 months.

40
41 Mr. Tomerlin said the payment method needs to be worked out with Lynx. He had
42 gotten feedback from Lynx that they are indifferent whether or not Lake Mary pays them
43 directly on behalf of the employer or if we pay the employer. They seem indifferent as
44 to how that process would work. We can discontinue this contract at any time. It would
45 be in the City's best interest to pay on a monthly basis because they could give 30-days'
46 notice and decide to leave.

1
2 Deputy Mayor Duryea said \$345 is for one van. Let's say it goes back and forth from
3 the Heathrow Country Club to the station and back. He asked how many times they
4 would be doing that.

5
6 Mr. Tomerlin said they have a mileage cap and believed it was 3,500 per month.
7 Otherwise he thought Lynx was flexible in regard to the route they take and the
8 frequency they do it. They could have the van run three times in the morning and three
9 times in the evening. Provided they don't exceed the mileage cap where they start to
10 charge on a per-mile basis he thought Lynx was flexible.

11
12 Deputy Mayor Duryea asked who did the hiring of the driver.

13
14 Mr. Tomerlin said that is something we want to leave between Lynx and the agency
15 because Lynx refers to this as an agency van pool. When they say agency it means it
16 is an employer-based program. A group of commuters say they want to get a van. This
17 one is employer based meaning the employer pays for it on behalf of a group of workers
18 to come to work.

19
20 Deputy Mayor Duryea asked Mr. Tomerlin if he had gotten any feedback that this is a
21 good or bad idea.

22
23 Courtney Miller, Program Manager of reThink (a program of the Florida Department of
24 Transportation), 4004 McGuire Boulevard, Orlando, Florida 32803, came forward. In
25 regards to who drives and coordinating all of that, it could be one of the commuters
26 volunteering to drive or the agency employer could hire a driver. All of that would be
27 determined by the employer or the employee group. We may find different variations.
28 We talked internally about what we could do to try to incentivize someone to volunteer
29 to drive. We are comfortable with sponsoring someone with a SunRail pass as long as
30 they will commit to driving for a certain amount of time.

31
32 Deputy Mayor Duryea said we are saying we will help you if you put together some sort
33 of van pool

34
35 Mr. Tomerlin said that is correct. We are trying to get employers that are on the fence.
36 He thought this was a great economic development tool.

37
38 Deputy Mayor Duryea said we could have Verizon or any large company in Primera or
39 Heathrow that want to do this. He would think they would have more than six or seven
40 people who would want to do this van pool.

41
42 Ms. Sova said that's just it as this point--we don't know. It is a kicking off point and is a
43 way to find out in a much more economical level than hiring Mears at over \$300,000 a
44 year. We did get information from another company that was over \$200,000 a year.
45 This is a much more economical way to get involved. The other thing is for most

1 employers this is door-to-door service and not bus stop to bus stop. Lynx will still be out
2 there running the routes but this is the additional stop to stop.

3
4 Deputy Mayor Duryea said let's say we decide to have a group. People get off the train
5 and the volunteer drives them to work. He asked if it stayed there until nighttime.

6
7 Ms. Miller said until they are ready to return. Because of the allowance of the program
8 they could use that vehicle during the day for trips. There is an 80/20 rule so 80% of the
9 mileage on that vehicle is used for the commute.

10
11 Ms. Sova said sometimes these companies will work it out. These van pools get used
12 sometimes for off-site parking where a company doesn't have enough parking and they
13 rent parking somewhere else. For about an hour the driver will lap and pick up two or
14 three loads of people and go back. Do that in the morning and again in the evening or
15 trade drivers morning to evening. The companies manage to work it out amongst
16 themselves to make it more than 15 passengers. Maybe in an hour they can do 60.

17
18 Commissioner Lucarelli said she thought it was a great idea and was proud Lake Mary
19 is on the cutting edge of it, leading the charge, and being a role model for the rest of the
20 community. We have to take baby steps because nobody knows what's going to
21 happen in the future with this. She asked who would track the statistics, the usage, the
22 increase and where do we go from there.

23
24 Mr. Tomerlin said the City would monitor the grant side of it. The City doesn't have to
25 get into the details of who the driver is or insurance issues. He suspected people will be
26 knocking on our doors and that will be a clear indication that we need to fund more than
27 six van pools. The latent demand will come by itself.

28
29 Ms. Miller said one of the requirements of this program is they do have to submit
30 monthly ridership reports to Lynx. We discussed with the van pool manager about
31 providing reports to Lake Mary.

32
33 Commissioner Plank complimented Mr. Tomerlin for coming up with this and
34 complimented the City Manager for hiring him. This is a trial program and put out to the
35 businesses that way. He asked if there was a way to determine interest or lack of
36 interest without our laying out a lot of money. He concurred with the other
37 commissioners on that. He asked if they were going to limit the van to one per
38 company or first come first serve.

39
40 Mr. Tomerlin said that is a great question and is one of three things he wanted input on.
41 He asked if we were going to limit it to one per employer, public versus private
42 employers, and the payment process. He thought Lynx was very flexible on that.

43
44 Commissioner Plank said if the position is a trial he would limit to one per company.
45 You are making a payment directly to Lynx for your half so that is two payments coming
46 into Lynx which is sometimes confusing even to the best of companies. If one doesn't

1 get there at the same time as the other he asked if we run the risk of someone saying
2 that we did not pay on time.

3
4 Mr. Tomerlin said staff has talked themselves in circles of how this payment process
5 would work. We thought it would be easier to track if we paid Lynx directly. Lynx might
6 want to explore an interlocal agreement if we end up paying them directly. There's the
7 option of paying the employer directly and then having the employer cut the check for
8 the lease payment to Lynx.

9
10 Commissioner Plank said the other factor is if I was a company and you said you would
11 let me participate in this but we don't trust you to accept our half is kind of insulting.

12
13 Mayor Meador said this is an economic tool that starts to differentiate us. Volusia County
14 has already sold every one of their annual passes for SunRail. We hire a lot of
15 millennials on International Parkway and are already talking about access. Most or
16 some live south of where we are and will be coming north to go to work and it starts to
17 create a different dynamic. This is a good discussion. We are not where we want to be
18 yet. This is one of those things where we want to meet with staff and have them bring
19 something back in April. This reminded him of discussions they had when they were
20 trying to create a TOD. This project has required us to do some different things. If you
21 look at how others are viewing Lake Mary right now, we have been very proactive. We
22 have been collaborative with the County and FDOT and they have been very supportive
23 of this initiative. He thought we have the opportunity to stack this for success. It will be
24 up to the Commission as to what ultimate amount. It might be we want two or three
25 vans for a particular employer where there may not be a demand in other places, but
26 that is yet to be determined. This is an item we need to deal with further, maybe at our
27 April 3rd meeting.

28
29 Ms. Sova said once we have additional thoughts we could schedule a work session.

30
31 Mayor Meador said Family Fun Day is April 5th. We know there is probably going to be a
32 lot of community interest based on the turnout in Winter Park. This might be an
33 opportunity for us to do further marketing.

34
35 Commissioner Brender said we should have this nailed down April 3rd. He asked if
36 there was a possibility of getting these vans delivered by the time things kick up in May.

37
38 Ms. Miller said she was referring to Adam Maul who is the Lynx Van Pool Program
39 Manager and he is nodding yes.

40
41 Commissioner Lucarelli said it would be awesome if they had a van on display at Family
42 Fun Day.

43
44 Adam Maul, Van Pool Program Manager for the Lynx Van Pool Program, 4894 Stone
45 Acre Circle, St. Cloud, Florida, came forward.

46

1 Mayor Mealor said the logo was very nice and didn't know if it was actual or
2 representative.
3
4 Mr. Maul said it is actual and there was a van outside.
5
6 Mayor Mealor said Commissioner Lucarelli is facilitating Family Fun Day on April 5th and
7 we are going to have SunRail out there for demonstration and walk throughs. He asked
8 if it would be possible to have a van out there also.
9
10 Mr. Maul said he didn't see it being an issue. We have had requests for other locations.
11
12 Mayor Mealor asked Mr. Tomerlin to reach out to each of the Commission individually,
13 including Commissioner Plank. There are a lot of questions. While the challenges are
14 there it is a great opportunity. We are going to do some different things and let's look at
15 outcome.
16
17 Mr. Tomerlin said he thought we can have a press release shortly after the April 3rd
18 meeting.
19
20 Commissioner Plank said one thing they need to decide is what are we going to do if
21 the program is a huge success.
22
23 Mayor Mealor said that will be a good problem to have and looked forward to trying to
24 problem solve that one.
25
26 Mayor Mealor thanked Ms. Miller and Mr. Maul for being present this evening. He said
27 if they had information they thought would be helpful to please submit it to the City
28 Manager and it will be distributed to the Commission.
29
30 There being no further business, the work session adjourned at 6:40 P.M.
31

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held March 20, 2014,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

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6 I. Call to Order

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

10 II. Moment of Silence

11

12 III. Pledge of Allegiance

13

14 IV. Roll Call

15

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

32 V. Approval of Minutes: February 20, 2014

33

34 **Motion was made by Commissioner Lucarelli to approve the minutes of the**
35 **February 20, 2014, meeting, seconded by Commissioner Brender and motion**
36 **carried unanimously.**

37

38 VI. Special Presentations

39

40 A. Proclamation – North American Occupational Safety and Health (NAOSH)
41 Week

42

43 Ms. Reischmann read a proclamation proclaiming May 4 through May 10, 2014, as
44 NAOSH Week and May 7, 2014, as Occupational Safety and Health Day.

45

46 Mayor Mealor presented the proclamation to Cynthia Chandler.

1
2 Cynthia Chandler said on behalf of the Central Florida Chapter of the American Society
3 of Safety Engineers, we wish to applaud the City of Lake Mary for recognizing the
4 importance of keeping everyone safe in the workplace and in other areas of the
5 community.

6
7 Mayor Meador said to show that this is not just a casual proclamation, he asked Ms.
8 Sova to share with the audience the current City stats.

9
10 Ms. Sova said our Public Works Department has worked more than one year, four
11 months, and 20-something days with no off-time injuries.

12
13 B. FY 2013 Comprehensive Annual Financial Report – McDirmit Davis &
14 Company, LLC

15
16 Ms. Holloway said this is that time of year where we present our financial statements to
17 the Commission for the year ending 2013. She said Kelly Leary from McDirmit Davis,
18 our external auditor, who is the Director of Governmental Services would share some
19 highlights.

20
21 Kelly Leary, audit partner with McDirmit Davis & Company, came forward. The City got
22 the GFOA Certificate of Achievement for the 21st time. Every year it is submitted to the
23 GFOA and for 21 consecutive years the City has received it. That's quite an
24 accomplishment.

25
26 Ms. Leary said the Independent Auditors Report in this document is unqualified and
27 states your statements are fairly presented. Something new about the audit report this
28 year is the people in charge have asked us to use highlighted sections and in the report
29 we highlight the management's responsibility for this document, what the auditor's
30 responsibility is, and also highlights some of the other required reports that government
31 auditing standards require.

32
33 Ms. Leary said the Commission should definitely read the Management Discussion and
34 Analysis. It is a summary and compares 2013 to 2012. It has information on both the
35 government-wide financials and the fund financials. The primary difference between
36 those two is the government-wide financials include capital assets and debt whereas
37 the fund financials include a cash in/cash out fund activity. There is also some
38 information about your budget. Your primary operating fund, which is the General Fund,
39 had revenues in excess of budget and expenditures less than budget both of which are
40 positive goals to achieve. Some of the expenditures were higher this year. Revenue
41 was consistent. It says in the Management Discussion and Analysis that you
42 resurfaced over 43,000 square yards of asphalt road, had increases in public safety
43 because you hired two new sworn officers and had an increase in contributions for
44 police and fire pension plans. There are some highlights that talk about some of the
45 primary capital events that went on during the year.

1 Ms. Leary said after the Management Discussion and Analysis are all the basic financial
2 statements, the notes of the statement that describe everything that is in those
3 financials, and then there is a statistical section that has information for the past ten
4 years. That's a great place to look and see the trends that have gone on in the City for
5 ten years.

6
7 Ms. Leary said after the statistical section are other reports we are required to do like
8 the Report Over Internal Controls and Compliance with Laws and Regulations. There is
9 a report that the Auditor General requires and in that report we did note that the City did
10 not have any recommendations from us for improving internal controls. The City has
11 great internal controls already. The Finance Department is very well run. They
12 provided everything we asked for during the audit. We had no disagreements with them
13 about anything. The audit went well.

14
15 **SIDE 1B**

16
17 **Motion was made by Commissioner Brender to accept the audit report, seconded**
18 **by Deputy Mayor Duryea and motion carried unanimously.**

19
20 VII. Citizen Participation

21
22 David Leavitt, 1000 Ridge Pointe Cove in unincorporated Seminole County, came
23 forward. He stated he was with the Libertarian Party of Seminole County and the
24 Libertarian Party of Florida. We adamantly oppose the \$631 million tax being imposed
25 if the vote is passed on May 20th of which Lake Mary will be the benefactor of \$8-10
26 million in total. He has been going to all the cities talking about the surtax and what it
27 means to businesses and the community at large. It's not a good time to add another
28 tax. It is never a good time to add a tax but it is time to tighten you belts a little bit. We
29 survived without this extra surtax for a couple of years and we can continue to survive
30 without it. It is an unfair burden on a lot of commercial taxpayers in the City and the
31 County. Anybody paying commercial rent that commercial rent is going up. He said he
32 ran several businesses in Seminole County and his rents would be going up because of
33 this. If you lease equipment your lease is going to go up because commercial leases
34 are subject to sales tax. It's not just a 1% added tax. The difference between 6% and
35 7% is a 16.6% increase in the tax rate. It is \$631 million which will be the largest tax
36 increase in Seminole County history if this passes. If this does pass maybe find some
37 way that you can relieve the tax burden for the citizens of Lake Mary. That would go a
38 long way. Just to make the gesture to look at the possibility of doing that would be
39 decent.

40
41 No one else came forward and citizen participation was closed.

42
43 VIII. Unfinished Business

44
45 There was no unfinished business at this time.

1 IX. New Business

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A. Ordinance No. 1503 – Amending the Primera PUD to allow an event center at 840 Currency Circle and providing for the Fifth Amended and Restated Developer’s Agreement; Miranda Fitzgerald, Esquire, applicant – First Reading (Public Hearing) (Gary Schindler, City Planner)

The City Attorney read Ordinance No. 1503 by title only on first reading.

10 Mr. Schindler said the proposed revisions fall into two categories. They are
11 housekeeping issues such as stating the current balance of open space land available.
12 There are a number of issues like that. There are the proposed revisions to the list of
13 uses. In Section 2 it is listed so that it could facilitate the development of the Noah
14 Events Center. He noted Ms. Fitzgerald was present and would address that in greater
15 detail. Staff has reviewed the Fifth Amended and Restated Developer’s Agreement and
16 finds it is in compliance with the City of Lake Mary Comprehensive Plan, Code of
17 Ordinances, and Florida Statutes.

18
19
20
21

Mr. Schindler said the Planning & Zoning Board at their regular February 25, 2014, meeting voted 5 – 0 to recommend approval of the proposed revisions.

22 Commissioner Brender said in Section 2 it specifically states about retail sales
23 establishments such as bakeries, hardware stores, florists, gift shops, drugstores,
24 grocery stores, department stores, retail clothing stores. He asked if that was different
25 language to what it was before.

26
27
28
29
30
31

Mr. Schindler said we have always felt that the existing language would encompass a number of retail uses but not only those listed. It was felt we wanted to be more specific by adding the language of a grocery store. A grocery store is like a fast food restaurant; it is hard to describe but you know it when you see it.

32
33

Commissioner Brender asked if they were tightening up or loosening up.

34 Mr. Schindler said we are being more explicit. The only new language is grocery stores.
35 Everything else is existing. We felt that grocery stores in one form or fashion would be
36 acceptable in the appropriate section of the Primera PUD. This is being more explicit.
37 Perhaps you have a restaurant with a retail section that sells wine and cheeses. There
38 is no question then.

39
40

Commissioner Brender asked how much total space was left for development.

41
42
43
44
45
46

Ms. Schindler said we have a four-acre tract off Currency Circle, we have the tracts where Friday’s and Macaroni Grill were located, and there are some tracts farther towards Lake Mary Boulevard. He said he didn’t have a number tonight but could provide it.

1 Commissioner Brender said he wasn't going to wake up one morning and see a mall
2 going in.

3
4 Mr. Schindler answered negatively. We don't have any tracts large enough for that.

5
6 Commissioner Brender said most of the development towards Rinehart Road is already
7 done.

8
9 Mr. Schindler answered affirmatively.

10
11 Deputy Mayor Duryea asked if something was coming up that precipitated this.

12
13 Mr. Schindler said the Noah. He said Ms. Fitzgerald had a Power Point presentation
14 that was shown at P&Z. It is a very exciting addition to the City.

15
16 Miranda Fitzgerald, attorney with Drosdick, Doster, Kantor & Reed Law Firm, 215 North
17 Eola Drive, Orlando, Florida, came forward representing Guggenheim Retail Real
18 Estate Partners and they are the financial partner for the development we are going to
19 talk about tonight. Preliminary to coming in with the site plan that we are expecting to
20 file on Friday of this week or early next week, we will submit a site plan for the facility
21 that we will show you tonight. We have met individually with each commissioner and
22 briefed them. She said Ray Parker of Guggenheim was present and would walk them
23 through the slides.

24
25 Ms. Fitzgerald said we needed to clean up some things that time had changed. We
26 wanted to bring it up to date. We had already approved in the existing PUD for some of
27 the parcels language that said assembly halls with food service and catering facilities.
28 The language did not apply to the parcel that Noah's and Guggenheim liked, so we
29 wanted to add that language in the section that specifically dealt with Parcel 2A to make
30 it a permitted use. She thought the intent was always there because that was a
31 retail/office/hotel parcel. We added that. Going to Mr. Brender's question, we had
32 inadvertently deleted grocery stores from the list of retail uses. That has been in the
33 PUD from day one and when we did one of the amendments (probably the fourth
34 amendment), all the sites were pretty well occupied and didn't think that would be a
35 possibility. Since we are going through this now why not put in back in just in case.

36
37 Ms. Fitzgerald said the site we are here to talk about is an events center. We are
38 excited about it because it is in an area of the City that could use some help on the
39 weekends. There are a number of hotels that could benefit from weekend business. It's
40 not only weekday business for corporate events and meetings but we think it is going to
41 generate some weekend business that the hotels can benefit from.

42
43 Ray Parker of Guggenheim Retail Real Estate Partners, 3000 Internet Boulevard,
44 Frisco, Texas, came forward. He said Guggenheim Retail Real Estate is a build to suit
45 development arm of Guggenheim Partners. We have partnered with Noah's which is a
46 fairly new concept. They are operating 10 to 11 facilities in Utah, Arizona and Texas.

1 He showed the current prototype on the overhead they planned to build in Lake Mary. It
2 is a 10,300 S.F. event center. Noah's is very much a corporate partnership with
3 corporate businesses in Primera and has very heavy use during the week by those
4 corporate clients for holding business meetings and training. Weekend uses are for life
5 events such as weddings and anniversaries. He showed a facility in Richardson, Texas
6 with an outdoor patio with brick pavers. Two sides of the patio will have a brick wall to
7 match the building. The end facing the water quality pond will be open with a decorative
8 wrought iron fence. He showed a typical setup that can happen on the patio for a
9 wedding. He showed the main hall that shows some of the things that can be done for
10 decorating the ceiling. The ceiling is very high tech and has a retractable panel grid
11 system that lowers down to allow for any type of decoration or ceiling treatment.
12 Against the far wall is a stage that raises and lowers out of the floor. You can have it
13 wide open for an event or set it up for corporate training with tables. It takes about ten
14 minutes for it to fully extend. He showed some of the setups in the main hall.

15
16 Mr. Parker emphasized it is a high quality, high finish building with all hardwood
17 moulding and walnut flooring. Noah's product is the building and is what they sell and
18 no expense is spared in making the building attractive. It is long lasting and will be a
19 valued part of the community for years to come. Panels on the walls are sound panels.
20 Everything is designed to plug and play. If you walk in with a Mac or Windows based
21 equipment you just plug it in. It has all state-of-the-art audio/visual equipment. He
22 showed a setup for a corporate board meeting. This table will disappear into the floor
23 and in 15 minutes you can change the setup for a reception area. He showed the
24 groom's room. There is a retractable video screen and high definition projector system.
25 There is a small conference room for corporate meetings.

26
27 Mr. Parker said we picked an area like Primera because of the heavy business
28 concentration. For a mature center of one year or so, anywhere from 52-56% of
29 business will be corporate users during the week. A mature center will typically have
30 functions on Saturdays 44 – 48 weeks out of the year. Fridays will be used 36 to 42
31 weeks out of the year. The highest attended events are on the weekends when most
32 businesses are dark and when the hotels are at their lowest occupancy. Noah's on-site
33 staff works well with business users and local hotels and marketing. When they attend
34 all the shows that they can market they will be marketing Lake Mary for you as well.

35
36 Mayor Mealor asked if anyone would like to speak in reference to Ordinance 1503.

37
38 Allen Berstein, Stratford Court, came forward. He asked how this would affect the
39 revenue stream for the Events Center and would it create any undue hardship for the
40 citizens because you would be splitting the revenue stream.

41
42 Ms. Sova said she believed the financial model that this center will operate under will be
43 different from ours. Our building is slightly larger and our fee structure will be lower.
44 She believed the City's business base would stay stable.

45
46 No one else came forward and the public hearing was closed.

1
2 **Motion was made by Commissioner Brender to approve Ordinance No. 1503 on**
3 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
4 **vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner**
5 **Plank, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

6
7 B. Ordinance No. 1504 – Amending Chapter 92 of the Code of Ordinances to
8 establish fees for Summer Camp – First Reading (Public Hearing) (Radley
9 Williams, Recreation Chief)

10
11 The City Attorney read Ordinance No. 1504 by title only on first reading.

12
13 Radley Williams, Recreation Chief, came forward. He said with the new Community
14 Center scheduled to open this spring, staff is in the process of planning the return of the
15 summer camp program that has been off line for six years. To better identify the current
16 market rate for summer camps, staff conducted an analysis of surrounding cities. Fees
17 charged for summer camps are identified and a chart has been provided summarizing
18 those findings.

19
20 Mr. Williams said the fee calls for the camp to run in four 2-week sessions and one 1-
21 week session for a total of nine weeks. The camps will be inclusive to include three
22 field trips per week to include the splash pad once a week. City residents will receive a
23 20% discount on camp fees. The proposed fees were developed based on market
24 analysis, refreshments, staffing, trips and materials. Full direct cost recovery is
25 anticipated.

26
27 Commissioner Plank thought it was a great deal for the families.

28
29 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1504. No
30 one came forward and the public hearing was closed.

31
32 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1504 on**
33 **first reading, seconded by Commissioner Brender.**

34
35 Commissioner Brender said he was looking at the other cities. He asked how this
36 compared to six or seven years ago.

37
38 Mr. Williams said he believed six years ago the fees were around \$80 a week but could
39 double check on that.

40
41 Commissioner Brender said Altamonte Springs has a nine-week program and is \$330.

42
43 Mr. Williams explained that none of their field trips were included. That is nine weeks of
44 staying at the camp facility. Field trips are added on as an additional cost.

1 Commissioner Brender said he would be interested to see how we do with it and we can
2 always come back and tweak it.

3
4 **Motion carried by roll-call vote: Deputy Mayor Duryea, Yes; Commissioner Plank,**
5 **Yes; Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Mayor Meador,**
6 **Yes.**

7
8 C. Resolution No. 933 – Approval of an Interlocal Agreement between Seminole
9 County and the City for SunRail Station Maintenance (Steve Noto, Senior
10 Planner)

11
12 The City Attorney read Resolution No. 933 by title only.

13
14 Mr. Noto said this is to formalize and clarify an existing conceptual agreement the City
15 entered into with the County in 2010. With SunRail starting service at the end of April,
16 the County has been working with us on specific items the City will be responsible for
17 when it comes to day-to-day operation maintenance of the SunRail Station. In 2010 we
18 had a brief five item list we agreed upon with the County having to do with trash pickup,
19 landscape maintenance, and things of that nature. At that time it was understood that
20 prior to SunRail operating we would come up with a more formal agreement with an
21 interlocal and is what is before the Commission this evening. Via Resolution No. 933
22 there is additional clarity given as to what it means to maintain the landscaping and
23 irrigation on the property and what type of landscape replacement would be required. If
24 approved this evening it would go back to the County for approval by the Board of
25 County Commissioners. Staff recommends approval of Resolution No. 933.

26
27 **Motion was made by Commissioner Lucarelli to approve Resolution No. 933,**
28 **seconded by Commissioner Brender and motion carried unanimously.**

29
30 D. Approval of Interlocal Agreement between Seminole County, the School
31 Board of Seminole County, and cities pertaining to the shared distribution and
32 use of the One Cent Local Government Infrastructure Surtax (Jackie Sova,
33 City Manager)

34
35 Ms. Sova said on February 11th, the Seminole County Board of County Commissioners
36 passed an ordinance to impose a one-cent infrastructure sales surtax upon taxable
37 transactions occurring in Seminole County preparing for a referendum on May 20, 2014.
38 The attached interlocal agreement provides for distribution of these revenues. The City
39 would spend those monies on the widening of Rinehart Road, the development of the
40 stair step parks stormwater facilities and various roadway paving projects. The total is
41 \$8,280,000 which is the estimated revenue from the tax. We have a larger list but
42 narrowed it down to what the tax would cover. She requested the Commission
43 authorize the mayor to execute the interlocal agreement.

44
45 **Motion was made by Commissioner Brender to authorize the Mayor to execute**
46 **the interlocal agreement between Seminole County, the School Board of**

1 **Seminole County, and cities pertaining to the shared distribution and use of the**
2 **One-Cent Local Government Infrastructure Surtax, seconded by Commissioner**
3 **Lucarelli.**

4
5 Deputy Mayor Duryea said he was against this tax for the simple reason it takes away
6 all innovation. It says we can't do what we are supposed to be doing so let's go back to
7 the well for more money. It is poor planning.

8
9 Commissioner Lucarelli said she thought Lake Mary had done darn good planning.

10
11 Commissioner Brender said one of the things that came up at the Council of Local
12 Governments is we have used the surtax for 20 years and a lot of the bridges and roads
13 we travel on are a result of that. Once you own it and build it you have to maintain it. A
14 lot of this goes towards that as well. We will be widening Rinehart and making Lake
15 Mary Boulevard intersection improvements so we are in a position where we built it and
16 we have to maintain it. Over the last 20 years few people could argue that the money
17 raised over that time has gone for some good causes. He said he would hate to think
18 what the status of the roadway system in Seminole County would be had we not had
19 this--not only the roads but sidewalk, trail, and pedestrian bridge systems. He takes
20 comments that the pedestrian overpass is not used by many people but we are not
21 building this for today and tomorrow but years from now and we have to maintain what
22 we build. He looked at this as a continuation. He agreed with Deputy Mayor Duryea
23 that we are going back to the well. We will know on May 20th when it is voted on. A lot
24 of people want this level of service and if they don't then they will vote against it. It
25 won't be the death of Lake Mary or Seminole County but you might start missing some
26 things over the next ten years that this would have provided for.

27
28 Commissioner Lucarelli clarified this is not a vote for the tax. The voters get to vote for
29 that. This is if it does pass we get our share so we can use it in Lake Mary for our road
30 system or whatever we need it for. We are not saying we support the tax or no we
31 don't. This is saying if it does pass by referendum this is what we are using it for.

32
33 **Motion carried by roll-call vote: Commissioner Plank, Yes; Commissioner**
34 **Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor Duryea, No; Mayor**
35 **Mealor, Yes.**

36
37 E. Request by Code Enforcement Board for the Commission to direct staff to
38 enter property at 565 Webster Street and remedy the public health and safety
39 violation (Bruce Fleming, Code Enforcement Officer)

40
41 Bruce Fleming, Senior Code Enforcement Officer, came forward. This matter came
42 before the Code Enforcement Board on January 21, 2014, after several months of back
43 and forth of letters, notifications and postings of the property. At issue was a general
44 condition of lawn. This was initiated by complaints of the neighbors. There are
45 neighbors here tonight that may want to speak to this issue as well as a descendent of
46 the owner of this property.

1
2 Mr. Fleming said on January 21, 2014, the Lake Mary Code Enforcement Board
3 received evidence, stipulations and arguments as it relates to the condition of this
4 property. He showed a photograph depicting the condition of the front yard at that time.
5 The yard was un-manicured and not well kept. He showed a photo of the backyard.
6 The Board found that this property was in violation of the Lake Mary Property
7 Maintenance Code and made a recommendation to the City Commission to go into this
8 property and remedy the violations. The testimony was that the residents were
9 constantly bombarded with snakes, rodents and things of that nature. More importantly
10 the concern was about the trees.

11
12 Mr. Fleming showed a video presentation completed today of the current condition of
13 the property.

14
15 Deputy Mayor Duryea asked if this property was occupied.

16
17 Mayor Mealor answered negatively.

18
19 Mr. Fleming noted they did cut the grass after the hearing and piled the debris in the
20 front yard. One of the issues before the Code Enforcement Board on January 21st was
21 a couple of dead trees that are starting to lean and there is a grave danger that they
22 may collapse on the neighbor's house. When that happens if the neighbors are there it
23 runs a grave risk of bodily injury and if they are not there substantial property damage.
24 He showed video shot from the neighbor's yard at 575 Webster Street showing the
25 trees that are leaning and if there is a storm could fall on the neighbor's house. He
26 showed the condition of the backyard.

27
28 **SIDE 2A**

29
30 Commissioner Brender asked if this property had been foreclosed on.

31
32 Mr. Fleming said he could find no evidence that there is a mortgage on this property and
33 thought it was owned outright.

34
35 Mr. Fleming said the owner of the property, Mr. Jasmin, is an invalid and is in an
36 assisted living facility in Miami. The State of Florida has taken over and invoked a
37 guardianship for his property maintenance and well-being and all the other things
38 associated with Mr. Jasmin. He has been there for a number of years. He is a retired
39 railroad worker. He is currently going through dementia and is unable to walk or speak.
40 He said during his investigation of this property he had the occasion to come in contact
41 with his oldest daughter who does not live in Lake Mary. She had no knowledge of the
42 circumstances surrounding the property, had no knowledge of the code enforcement
43 issues because his notices were being sent to the guardianship in Miami. Once the
44 daughter became aware of the circumstances, she started to do things to get the
45 property in good condition. This was taken back to the Code Enforcement Board last
46 Tuesday for a Compliance Hearing. The Board had ordered that this property be

1 brought into compliance within 21 days of the hearing of January 21st. At the
2 Compliance Hearing the Board determined that the property was not in compliance with
3 the order that was given, however, the Board elected to table the matter because the
4 daughter of the owner told her story. He noted she was present tonight.

5
6 Mayor Meador said he had visited the site. This is a request for staff to go onto the
7 property and correct the health and safety issues. He asked the eldest daughter or a
8 spokesperson of the owner to come forward.

9
10 Daphne Ncozana, daughter of Jacques Jasmin, Sr., came forward. She said this was
11 her father's home and she lived there as a child. She has her own family with three kids
12 and was the legal guardian of her disabled sister because her mother passed away two
13 years ago. During the time her mother lived there she was very ill with anemia and had
14 a heart attack. Ms. Ncozana said at that time she was pregnant and moved into her
15 own home with her husband and three children. When her mother passed she took
16 over as guardian of her sister. The reason her sister was taken out of the home was
17 because Ms. Ncozana had her own home and her sister couldn't take care of herself.
18 During this time we have come back and forth to check on the house to make sure it
19 hadn't been vandalized. Last year she found out her father was in Miami. She said she
20 has had no contact with him in over 20+ years. She found out he was under the
21 guardianship program of Miami-Dade County. She has tried to keep in contact with
22 them but they have not returned her calls. She is in the process of retaining
23 guardianship over her father.

24
25 Ms. Ncozana said in speaking with Mr. Fleming she found out that they have been
26 receiving certified letters since last year and have not done anything about the property.
27 She has called them and left messages concerning the home but they have not
28 returned her calls.

29
30 Ms. Ncozana said she had two-year-old twins and a nine-year-old son, all of which were
31 premature births and all have disabilities so she takes care of all four of them. Last year
32 her husband decided to leave the family and abandoned them. She was not working at
33 the time and at this time is unable to pay for the home she was renting in Casselberry.
34 That is when she decided to move back to the home. Because her sister didn't have to
35 leave the home her sister agreed she could go back home. She was able to meet one
36 of her neighbors and he told her code enforcement had been called. Since then she
37 has employed different people and has been in contact with volunteer programs and
38 they are to come this weekend or next weekend to clear out the debris in the backyard
39 and front yard. Her neighbor has helped her with cutting grass and pressure washing
40 the sidewalk, driveway and the house. She has been in correspondence with Mr.
41 Fleming keeping him up to date on what she is doing and what she plans to do. She
42 would like to show good faith. Some of her neighbors are here and have known her
43 since she was 14. It's unfortunate this situation going on but planned to take time and
44 effort to make things better and get in goodwill with you guys. She apologized for the
45 situation. Her father has dementia and has no knowledge and is unable to speak. She

1 said she was doing the best she could with her children to make sure her children have
2 a roof over their heads in the next month or so.
3
4 Mayor Meador said the situation that you find yourself in is that you are dependent on
5 volunteers' assistance to help clean the area up. He asked if that was correct.
6
7 Ms. Ncozana said she was able to do it herself but was also getting assistance from a
8 volunteer program which is about 15 churches that will come out this weekend. They
9 were waiting on a dumpster and have one now that will be placed the end of this week.
10 They will come and clear out the debris. She is in the process of taking legal
11 guardianship of her father and later have the title transferred to her name.
12
13 Mayor Meador said one of the neighbors assisted the family in keeping the property
14 somewhat maintained but was directed by someone representing your father or the
15 estate to get off and never to come back. He asked the status of that.
16
17 Ms. Ncozana said she spoke to one person there and the person she needed to speak
18 to was Angel Velgotto and he has not returned any of her calls. The people that were
19 there to cut the trees were people sent out by the guardianship and were there drinking
20 and left beer cans on the lawn. They also asked a neighbor to borrow tools so they
21 were unprepared.
22
23 Mayor Meador said you have to realize there are a number of issues and one is private
24 property rights. Every person sitting up here raised our right hand and took an oath that
25 nothing is more important to this community than the health and welfare of our citizens
26 and we will not allow that to be compromised.
27
28 Mayor Meador said it was mentioned that some of the neighbors may want to speak.
29
30 Mr. Fleming said there were a couple of neighbors present that indicated to him they
31 would like to voice their views on the circumstances. He wanted the Commission to be
32 aware that the volunteer group Daphne spoke about was the Senior Intervention Group
33 that is affiliated somewhat with the police department.
34
35 Lloyd Knight, 555 Webster Street, came forward. He said he had been trying to clean
36 the place and had been mowing the lawn for the last six to eight months. He started
37 some of the tree work and is why some of the debris was in the front yard. He has
38 pressure cleaned the house, got debris off the roof, removed some garbage but could
39 only do so much and is only one person. He did that to try to prevent the eyesore. As
40 far as the tree work and his capabilities he was not an arborist and didn't want to violate
41 any of Lake Mary's laws. He said he was limited as to what he can do but would do
42 what he could to help Daphne and the neighborhood so the neighborhood is in good
43 standing and we don't have these eyesores taking over the neighborhood.
44
45 Mike Cothorn, 575 Webster Street, came forward. He said back in January he started a
46 project in his yard just cleaning it up and went to the left side of his property as you're

1 facing it and the vines had come out of the trees, were coming across, up on the house
2 and all over the roof. He said Lloyd (Knight) got some debris off the roof from these
3 vines. The biggest problem here is the potato vine that has taken over the backyard.
4 Some of the things in the pictures going across were huge vines. They were stretched
5 all over the trees and are killing all the plants and trees back there. In the process of
6 cleaning this, the gentleman that takes care of his yard mentioned that he saw some
7 issues with his row of hedges that runs along the fence. He decided to take on that
8 chore and get those vines out of there. Four hours later he had finished. These vines
9 had worked into his fence and around and spent hours cutting and pulling them out of
10 the shrubs and all. That was the first time he realized how bad the situation is back
11 there. This is when he found the two trees. One isn't a threat to his property but one is
12 and it's dead. He said Daphne was a precious lady and so is her children but there is
13 no way anybody can do this in one weekend. Just the project alone in the back yard is
14 going to take somebody that's a professional and knows what they are doing. You can't
15 have just anybody cutting these trees down. As he started the process of pulling the
16 vines down one of the limbs out of that particular tree snapped off and struck him in the
17 head but no serious injury. That is when he realized this tree was dead. In the middle
18 of the backyard there is a tree with probably 15 feet of it left. It's broke off at the bottom,
19 it's broke off at the top. This huge chunk of wood is being held up by these vines. It's
20 just a bad situation.

21
22 Mr. Cothorn said Mr. Fleming mentioned the rats and he and Lloyd both have seen
23 those. The day he was cleaning he saw three large rats back there. The neighbors
24 aren't upset with Daphne. We just want the property cleaned up. When he was at the
25 Board meeting on January 21st our concern is getting the property cleaned up, have it
26 look decent, and have somebody move in that's going to take care of the property and
27 keep it beautiful. We are just addressing the outside of the property but the inside is in
28 bad shape also. We want the property cleaned up and looking good. His concern is he
29 wanted to get that tree taken care of before he has it in his bedroom.

30
31 Mayor Mealor said the home is an absolute outlier and is not in keeping with the
32 surrounding community. Our issue is to address the concerns that were brought to us
33 from the Code Enforcement Board. We will see if we can problem solve in a manner
34 that is fair to Daphne and the community.

35
36 Commissioner Brender asked Daphne if she had a plan on when she could move back
37 into the property.

38
39 Ms. Ncozana said by April 1st.

40
41 Commissioner Brender asked Daphne if she was hoping to have the inside and the
42 outside of the property habitable by April 1st.

43
44 Ms. Ncozana answered affirmatively.

45

1 Mayor Mealor said the request before us is to allow our City staff go onto that property
2 and get it cleaned up and make it safe for the surrounding residents. If we can
3 accomplish that then you will see there is this wonderful support network to help
4 maintain and stay on top of it. He has some real reservations and concerns. He said
5 he does volunteer work and maintains family properties and it can't be done in the
6 timeframe that you are asking to be in that home by. It was his opinion it can't be done.
7 If there are costs associated with it, it's not going to be money out of your pocket but
8 would ride with the home. Once that changes in status then that rides with the property.
9 That is a fairer way to do it under the circumstances and the safer way because the City
10 would have to assume the liability and responsibility.

11
12 Deputy Mayor Duryea said he would be in favor of giving until April 15th and if it's not
13 taken care of we will do it. He believed the lady is sincere and wants to do it. He didn't
14 know if she could but thought they should give her another chance to do it.

15
16 Commissioner Brender said it seems we have some overlapping. We have the Senior
17 Intervention Group saying they are coming this weekend and the City saying we are
18 coming this weekend. We need to coordinate who is going first and what is going to
19 happen. Maybe the City will go in first. We will put a lien on the property for whatever
20 work is done. The Senior Intervention Group can come in and try to do some
21 restoration of the finer points.

22
23 Mr. Fleming said Chapter 91.75 of the Code of Ordinances gives the authority for the
24 City to go onto properties that create a serious health hazard. His vision would be to
25 get the immediate threats of the tree falling on the neighbor's house and the other
26 things occurring in the yard then the volunteers would be free to deal with the interior of
27 the house. We don't bring City staff in to do the actual work. We have contractors that
28 do that kind of thing for us. We then put the liens against the property.

29
30 Mr. Knight said it would be a better idea to have Lake Mary go in and revive the exterior.
31 You are going to make the residents feel better about the community. It is a
32 monumental task. She is already being fined \$250 a day and is still being accumulated.
33 If you weigh the financials of \$250 a day and she doesn't get it done all the way up until
34 whenever it gets done versus you going in there and spending three to seven grand, it
35 makes better sense for you to go in and do it.

36
37 Mayor Mealor said he concurred but was only one voice.

38
39 Commissioner Plank said he wished there was another alternative but thought we
40 needed to go in and bring it up to speed.

41
42 Ms. Reischmann asked the Commission to reiterate the finding of the Code Board
43 which was a finding of serious threat to health, safety and welfare. The only way we
44 can go on private property is to correct a serious threat to health, safety and welfare.
45 It's not to go in there and create any kind of manicured lawn or fix it up to make the
46 house beautiful. It is just to correct the serious threat part of it; otherwise, we are

1 creating some liability. She asked that the motion be to find the serious threat, adopt
2 the recommendation of the Code Board and request that the City take action to remedy
3 the serious threat.

4
5 **Motion was made by Commissioner Lucarelli that we find this property in code**
6 **violation constituting a serious threat to the public health, safety and welfare of**
7 **the community and authorize the City to go in with appropriate contractors and**
8 **clean out the exterior and take care of the serious threat, and accept the**
9 **recommendation of the Code Enforcement Board. Seconded by Commissioner**
10 **Brender.**

11
12 Commissioner Brender said we will come back and discuss the fine. He asked the
13 timeline.

14
15 Mr. Fleming said the Code Enforcement Board tabled the matter with this
16 recommendation. At the May meeting they will ascertain whether or not the order has
17 been complied with and will work with the owner on that fine. They may do away with
18 the fine or reduce it. Our lien for the maintenance will remain. To get the contractors
19 out to take a look at it, put in the bids, double check to make sure they are authorized to
20 do work for us, make sure the paperwork is in order will take about two weeks.

21
22 Commissioner Brender asked who would oversee the contractors.

23
24 Mr. Fleming said Code Enforcement is responsible for the contractors.

25
26 **Motion carried unanimously.**

27
28 X. Other Items for Commission Action

29
30 There were no items to discuss at this time.

31
32 XI. Reports

33
34 A. City Manager

35
36 1. Expenditures from Law Enforcement Trust Fund Donations

37
38 Ms. Sova said this is a request for our annual expenditures from the Law Enforcement
39 Trust Fund for donations: \$1,000 each to Lake Mary High School and Seminole High
40 School for Drug/Alcohol Free Project Graduation, Seniors Intervention Group, The
41 Grove Counseling Center, Kids House of Seminole, J. Douglas Williams YMCA Family
42 Center, MADD-Central Florida Affiliate, SafeHouse of Seminole, and Central Florida
43 CRIMELINE Program. She said the latter organizations sponsor programs that aid law
44 enforcement agencies in Seminole County by reaching out to the community.

1 Ms. Sova said we are requesting \$500 donations to Boys Town, Girl Scouts of Citrus,
2 Central Florida Council-Boy Scouts of America, Ali's Hope Foundation via the Christian
3 Sharing Center, Lyman High School ROTC Program, and Harbor House which is a new
4 one this year for a total expenditure of \$12,000.

5
6 **Motion was made by Commissioner Lucarelli to authorize expenditures from the**
7 **Law Enforcement Trust Fund for donations as outlined in staff report in an**
8 **amount not to exceed \$12,000, seconded by Commissioner Brender.**

9
10 Commissioner Brender asked what we are doing with Lyman High School ROTC and
11 why.

12
13 Chief Bracknell said the ROTC assists the City with our Lake Mary-Heathrow Festival of
14 the Arts.

15
16 **Motion carried unanimously.**

17
18 2. Expenditures from Law Enforcement Trust Fund for S.W.A.T. helmets and Honor
19 Guard equipment

20
21 Ms. Sova said this is a request for expenditures from the Law Enforcement Trust Fund
22 for S.W.A.T. helmets and Honor Guard equipment. The police department would like
23 to replace 15 ballistic helmets to include night vision helmet mounting kits for a total of
24 \$6,865.00. Also to buy the Honor Guards new uniforms and equipment including
25 jackets. The cost of the uniforms to outfit eight members of the team, including their
26 dress jackets and equipment, would be \$8,342.56 for a total recommended expenditure
27 of \$15,207.56.

28
29 **Motion was made by Commissioner Lucarelli to authorize expenditures from the**
30 **Law Enforcement Trust Fund in an amount not to exceed \$15,207.56 for the**
31 **purchase of 15 S.W.A.T. ballistic helmets (\$6,865.00) and 8 Honor Guard uniforms**
32 **and equipment (\$8,342.56). Seconded by Commissioner Plank and motion**
33 **carried unanimously.**

34
35 3. Surplus of outdated/non-functioning police equipment

36
37 Ms. Sova said this is a request to surplus outdated and non-functioning police
38 equipment. There are three printers, quite a few radar units along with racks,
39 chargers, light adapters, batteries and recording/surveillance equipment. The serial
40 numbers are listed in the staff report. She requested the Commission declare all of the
41 items listed surplus and authorize her to dispose of.

42
43 **Motion was made by Commissioner Brender to declare equipment listed in staff**
44 **report surplus and authorize the City Manager to dispose of, seconded by**
45 **Commissioner Lucarelli and motion carried unanimously.**

1 Ms. Sova said there was a 10-inch water main break this morning on Longwood-Lake
2 Mary Road. That has been repaired and the road will be repaired by tomorrow evening.
3 There are some road diversions of one lane of traffic today and tomorrow until it is
4 completed.

5
6 Ms. Sova said the Fifth Annual Family Fun Day will be in downtown Lake Mary on
7 Saturday, April 5th, from 10:00 A.M. to 3:00 P.M. There will be entertainment, kids'
8 activities, public safety demonstrations and more. SunRail will be offering free tours
9 inside the train and on the platform to provide a community preview between 11:00 A.M.
10 and 1:00 P.M. There will be 300 parking spaces available.

11
12 Ms. Sova said the Be A Trailblazer 5K with a beautiful route through downtown Lake
13 Mary will be held April 25th at 7:30 A.M. beginning at City Hall. You can register online
14 at www.FinalMileRaceManagement.com. The entry fee if paid by March 30th is \$20,
15 between March 31st and April 20th the fee is \$25, and after that is \$30. The proceeds
16 benefit Sports 4 the Kids and Seminole County Friends of Abused Children.

17
18 Ms. Sova said the "Collections" exhibit featuring antique jewelry, photography, Renton
19 glassware and more continues at the Lake Mary Museum through April 12th. The
20 museum, located at 158 North Country Club Road, is open Tuesdays from 10:00 A.M.
21 to 3:00 P.M.; Wednesdays and Thursdays from noon to 8:00 P.M.; Saturdays from
22 10:00 A.M. to 3:00 P.M.; or by appointment by calling 407-585-1481.

23
24 Ms. Sova said the splash pad is open this week for spring break from 10:00 A.M to 6:00
25 P.M. Beginning March 29th it will be open on weekends.

26
27 Ms. Sova said we are beginning planning for the Board Appreciation Dinner scheduled
28 to be held June 11th at the Events Center.

29
30 Mayor Meador said regarding the Trailblazer 5K Run Coach Stan Van Gundy will be
31 there and play a key role.

32 B. Mayor

33
34
35 Mayor Meador had no report at this time.

36 C. City Commission (4)

37
38
39 Commissioner Lucarelli said next Thursday at the Heathrow Country Club she will be
40 inducted officially into the Lake Mary Rotary.

41
42 Commissioner Lucarelli said we have a Taste of Lake Mary coming up the 31st of March
43 and then the Rescue Run following that.

44
45 Commissioner Brender said the next CALNO meeting would be held in Longwood the
46 first Wednesday in April.

1
2 Deputy Mayor Duryea expressed wishes for Commissioner Plank's speedy recovery.

3
4 Commissioner Plank had no report at this time. He thanked the City Manager for
5 finding the legal precedent for allowing him to participate tonight.

6
7 D. City Attorney

8
9 Ms. Reischmann said Senate Bill 718 is requiring the agendas include specific
10 descriptions of every matter being voted on and you can't vote on anything except what
11 is specifically on the agenda.

12
13 Ms. Reischmann said Senate Bill 458 mandates a repeal of rules and ordinances
14 related to knives and weapons with the same kind of penalties as if we don't repeal
15 them with the guns.

16
17 Ms. Reischmann said some cities have raised the issue of backyard gun ranges. Some
18 are appealing to the Legislature to make a change to the law so those can be regulated.

19
20 XII. Adjournment

21
22 There being no further business, the meeting adjourned at 8:40 P.M.

23
24
25

26
27 _____
28 David J. Meador, Mayor

26
27 _____
28 Mary Campbell, Deputy City Clerk

29
30

31 ATTEST:

32
33
34

35
36 _____
Carol A. Foster, City Clerk