

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held March 21, 2013,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

4
5

6 I. Call to Order

7
8
9

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

10 II. Moment of Silence

11

12 III. Pledge of Allegiance

13

14 The Pledge of Allegiance was led by two members of Boy Scout Troop No. 263 from
15 Markham Woods Presbyterian Church.

16

17 Mayor Mealor recognized Troop No. 263's merit badge sponsor and representatives
18 from a class at Seminole State College. They may contact any member of the City
19 Commission or City Manager if additional information is needed.

20

21 IV. Roll Call

22

23 Mayor David Mealor	Jackie Sova, City Manager
24 Commissioner Gary Brender	Dianne Holloway, Finance Director
25 Commissioner George Duryea	John Omana, Community Dev. Dir.
26 Commissioner Allan Plank	Steve Noto, Planner
27 Deputy Mayor Jo Ann Lucarelli	Bruce Paster, Public Works Dir.
28	Bryan Nipe, Parks & Recreation Dir.
29	Gunnar Smith, Recreation Manager
30	Randy Petitt, Human Resources Mgr.
31	Jean McCarthy, Finance Manager
32	Colin Morgan, Deputy Police Chief
33	Bruce Fleming, Code Enforcement Ofc.
34	Craig Haun, Fire Chief
35	Katie Reischmann, City Attorney
36	Mary Campbell, Deputy City Clerk

37

38 V. Approval of Minutes: February 28, 2013 – Strategic Planning Session

39

March 7, 2013 – Regular Meeting

40

41 **Motion was made by Commissioner Brender to approve the minutes of the**
42 **February 28, 2013, Strategic Planning Session, seconded by Deputy Mayor**
43 **Lucarelli and motion carried unanimously.**

44

1 **Motion was made by Commissioner Plank to approve the minutes of the March 7,**
2 **2013, meeting, seconded by Deputy Mayor Lucarelli and motion carried**
3 **unanimously.**

4
5 VI. Special Presentations

6
7 Mayor Meador said we will honor the proclamation for Public Works Week. He asked
8 Mr. Paster to share that with his colleagues.

9
10 Mayor Meador said at the request of the Office of the Governor we are proclaiming the
11 month of April as Child Abuse Prevention Month. That will be presented back to the
12 Governor's office. He asked all citizens to be sensitive to that important work as well as
13 foster care.

14
15 A. Proclamation – Florida Surveyors & Mappers Week

16
17 Mayor Meador asked Mr. William Rowe, Vice President of the Florida Surveying and
18 Mapping Society, to come forward. The Commission came down from the dais and
19 joined Mr. Rowe.

20
21 The City Attorney read a proclamation proclaiming March 17 – 23, 2013, as “Florida
22 Surveyors and Mappers Week”.

23
24 Mayor Meador presented the proclamation to Mr. Rowe.

25
26 Mr. Rowe thanked the Mayor and Commission for recognizing them. He said it was
27 proclaimed by the Governor, by Mr. Putnam of the Department of Agriculture, as well as
28 President Obama.

29
30 B. Proclamation – Public Works Week

31 C. Proclamation – Child Abuse Prevention Month

32 D. FY 2012 Comprehensive Annual Financial Report – McDirmit Davis &
33 Company LLC

34
35 Ms. Holloway said it was her pleasure to present the 2012 CAFR. She introduced Kelly
36 Leary of McDirmit Davis who would go over the highlights.

37
38 Kelly Leary, 2410 Deloraine Trail, Maitland, Florida, came forward. She stated she was
39 a partner of McDirmit Davis & Company.

40
41 Ms. Leary said the City submitted the audit to the Government Finance Officers
42 Association and received the Certificate of Achievement for their 2011 report. She said
43 Dianne (Holloway) would submit the 2012 CAFR. The current year audit report is
44 unqualified which is the best opinion you can get. The audit reports state the City is in
45 compliance with laws, regulations, contracts and grants. The management letter also
46 states there were no prior year findings and there are no current year comments.

1 Ms. Leary said the General Fund balance increased over \$1 million because the
2 revenue was higher than expected and the expenditures were less. There is a detailed
3 discussion of the various line items in the Management Discussion and Analysis at the
4 beginning of the audit report. The net assets of the Water & Sewer Fund increased
5 \$283,000. The Stormwater Fund had a decrease of \$36,000.

6
7 Ms. Leary said they look at the financial condition of the City. The Auditor General has
8 a lot of ratios that we calculate and we compare those ratios to trends in other cities the
9 same size as Lake Mary. Lake Mary always looks good when compared to other cities.
10 This year the ratios were a bit crazy but that is because Lake Mary refunded some debt
11 issues so the ratios include those totals and are distorted. Next year they will go back
12 to normal. It doesn't indicate there is any kind of problem.

13
14 **Motion was made by Commissioner Brender to accept the Financial Report,**
15 **seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

16
17 Ms. Holloway recognized her staff, especially Jean McCarthy who helps put the CAFR
18 together every year.

19
20 VII. Unfinished Business

21
22 Mr. Noto said the applicant has requested a continuance for the Final PUD and
23 Preliminary Subdivision approval to April 18, 2013 (Items A & B).

24
25 A. Ordinance No. 1480 - Final Waterside Planned Unit Development (PUD),
26 located at 1255 & 1275 W. Lake Mary Boulevard; ZDA, LLC/Allan Goldberg,
27 applicant – Second Reading (Public Hearing) (Gary Schindler, City Planner)

28
29 B. Request for Preliminary Subdivision Approval for Waterside Planned Unit
30 Development (Public Hearing) (Gary Schindler, City Planner)

31
32 **Motion was made by Commissioner Brender to postpone Items A and B to April 18,**
33 **2013, seconded by Commissioner Plank and motion carried unanimously.**

34
35 C. Ordinance No. 1482 - Revision to the Final Planned Unit Development (PUD)
36 and Developer's Agreement for the Lake Mary Preparatory School, 650 Rantoul
37 Lane, and the Junior Academy, 140 E. Wilbur Avenue & 143 E. Lake Mary
38 Avenue, Stuart Buchanan for Lake Mary Real Estate, LLC, applicant – Second
39 Reading (Public Hearing) (Gary Schindler, City Planner)

40
41 The City Attorney read Ordinance No. 1482 by title only on second reading.

42
43 Mr. Noto stated staff had no additional comments.

44
45 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1482. No
46 one came forward and the public hearing was closed.

1
2 **Motion was made by Commissioner Duryea to approve Ordinance No. 1482 on**
3 **second reading, seconded by Commissioner Brender and motion carried by roll-call**
4 **vote: Commissioner Brender, Yes; Commissioner Duryea, Yes; Commissioner**
5 **Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor Mealor, Yes.**

6
7 D. Ordinance No. 1483 - Rezoning from Planned Unit Development (PUD) to
8 Government Use (GU), for the two properties located at 140 E. Wilbur Avenue &
9 143 E. Lake Mary Avenue – Second Reading (Public Hearing (Gary Schindler,
10 City Planner)

11
12 The City Attorney read Ordinance No. 1483 by title only on second reading.

13
14 Mr. Noto stated staff had no additional comments.

15
16 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1483. No
17 one came forward and the public hearing was closed.

18
19 **Motion was made by Commissioner Brender to approve Ordinance No. 1483 on**
20 **second reading, seconded by Commissioner Plank and motion carried by roll-call**
21 **vote: Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor**
22 **Lucarelli, Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**

23
24 E. Resolution No. 919 – Granting City Manager the authority to negotiate Code
25 Enforcement Liens (Bruce Fleming, Sr. Code Enforcement Officer) (postponed
26 3/7/13)

27
28 The City Attorney read Resolution No. 919 by title only.

29
30 Bruce Fleming, Senior Code Enforcement Officer, came forward. He said at the
31 Commission meeting of March 7, 2013, the Mayor and Commission directed staff to
32 provide further clarification on the specific provisions for the proposed resolution to
33 grant authority to the City Manager to mitigate code enforcement liens on foreclosed
34 residential property. Staff has redefined the segments of the proposed resolution that
35 pertains specifically to foreclosed residential property that has an impending sale or title
36 transfer. The revised resolution also added the requirement that the sale or transfer
37 must be imminent and a delay could jeopardize the transaction for the lack of a timely
38 response.

39
40 Mr. Fleming said staff recommends that the City Commission grant specific authority to
41 the City Manager in specific events involving foreclosed residential property to resolve,
42 mitigate and settle those types of liens.

43
44 Commissioner Plank asked for clarification. This applies only when the property has
45 gone into foreclosure and a sale is pending.

1 Mr. Fleming said a foreclosed residential property.

2
3 Commissioner Plank said if it was a pre-foreclosure short sale it does not apply.

4
5 Mr. Fleming said it does not apply.

6
7 Ms. Reischmann said also when it is mortgagee owned post-foreclosure.

8
9 **Motion was made by Commissioner Brender to approve Resolution No. 919,**
10 **seconded by Commissioner Plank and motion carried by roll-call vote:**
11 **Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Commissioner Brender,**
12 **Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**

13
14 VIII. New Business

15
16 A. Request for Site Plan Revision with variances for the Fountainview Office
17 Building, 152 N. Fourth Street; Shaw Construction & Management Services,
18 Inc., Terry Shaw, applicant (Public Hearing)

19
20 Mr. Noto said in 2011 the applicant came before the Commission for site plan approval
21 for the structure at the northwest corner of Fourth Street and Lakeview Avenue. It was
22 a two-story, 28,000+/- S.F. building. Since that time the applicant has opened the three
23 buildings across the street from City Hall. Based on the success of those three
24 buildings, the applicant has come back to revise this site plan approved in 2011 to build
25 three one-story buildings. He showed a conceptual drawing on the overhead. We will
26 have two 4,999 S.F. buildings, and the third building at the southwest corner of Crystal
27 and Fourth would be the remaining square footage of the previously approved total that
28 would equal 18,436 S.F.

29
30 Mr. Noto showed the site plan on the overhead. There are some minor differences in
31 the approval from 2011. We have some new variances for the Crystal Lake frontage.
32 There would be a zero-foot setback on that frontage and a zero-foot setback on Fourth
33 Street. Those setback requests are outlined on Pages 2, 3 and 4 of the staff report.
34 Similar requests have been granted in the past.

35
36 Mr. Noto said on Page 5 of the staff report there are two conditions that were
37 recommended by P&Z on February 26, 2013:

- 38
39 1. That the applicant show on his site construction plans the location of a dumpster
40 and dumpster enclosure to be consistent with the Code of Ordinances and the
41 franchise agreement with Waste Management.
42 2. Site lighting that is consistent with previous approvals and other design in the
43 Downtown which include lighting in the rear of the buildings.

44
45 Mr. Noto stated the applicant was present.

1 Mr. Noto stated the Planning & Zoning Board unanimously recommended approval 5 –
2 0 at their February 26, 2013, meeting with the two conditions.
3
4 Commissioner Duryea said he had a couple of concerns. The analysis put in the
5 parking portion of this indicates that the required parking for the whole area is adequate.
6 He disagreed with that. He asked when they were going to stop making the bubble
7 bigger. We could say there is plenty of parking in the City of Lake Mary. He asked why
8 they had to stick to one or two parcels.
9
10 Mr. Noto said he followed what Commissioner Duryea was saying. The total square
11 footage of the overall project is the same as what it was in 2011. The parking proposed
12 then is the same now and they have already been constructed as part of the work we
13 did late last year. At the Strategic Planning meeting we received direction from the
14 Commission to move forward with some amendments to the parking code as it relates
15 to the issue Commissioner Duryea is mentioning. We are currently working on some
16 new policies we think will address that problem and should be coming forward at the
17 next Commission meeting.
18
19 Commissioner Brender asked if they had any idea of uses. He asked if the third
20 building would be two stories.
21
22 Mr. Noto said that is the current plan. Based on discussions with the applicant, the first
23 building would potentially have a restaurant and other retail uses as well as the second
24 building in the middle. The third building is further out in the planning stages so we
25 haven't had a complete discussion but based on DC zoning it would be safe to say
26 office, retail and potentially more restaurants.
27
28 Commissioner Brender said the zero-setback requests we have already granted on
29 Fourth Street so the look would be similar to that.
30
31 Mr. Noto said that was correct.
32
33 Commissioner Brender asked how many spaces they were adding.
34
35 Mr. Noto said we are not adding any more because they have been constructed. The
36 spaces built on Fourth between Lakeview and Crystal were part of this project and then
37 the spaces that were built on Crystal east of Fourth were part of this project.
38
39 Commissioner Brender asked if farther up Fourth Street there would be additional
40 spaces.
41
42 Mr. Noto said not at this time.
43
44 Mayor Mealor said he believed that was part of a City partnership.
45
46 Mr. Noto said that was correct.

1
2 Terry Shaw of Shaw Construction, 386 Pine Tree, applicant, came forward. He said it
3 was a good comment Commissioner Duryea made on parking because they think about
4 that all the time when designing their buildings. Similar to the three we just finished,
5 that was supposed to be 28,000 S.F. and we only put up 15,000 S.F. The biggest killer
6 of a project is parking. We try to make sure we have enough parking before we
7 proceed. We feel good with the first two but don't want to proceed with the third until
8 they have a better feel for things.

9
10 Mr. Shaw said they are going to limit the restaurant to 2,000 S.F. The Fourth Street Bar
11 & Grill is their biggest concentration of parking. We as a city have to keep thinking
12 about parking. One of the biggest reasons we are successful is people love to be able
13 to pull in and park and not have to find a parking garage or something like that. We
14 have to keep on top of that.

15
16 Commissioner Plank complimented Mr. Shaw on the redesign. It should be very
17 effective on that corner.

18
19 Mr. Shaw said we go out and talk to people. We are having courtyards between each
20 building and that gives a village feel.

21
22 Commissioner Brender said the City has 80 spaces on Seminole Avenue. If you park
23 on the far side of that parking lot, it is a far piece to the end of that block. It's not so
24 much the number of spaces that are within a quarter mile but the number of spaces that
25 are convenient to the shopper and that is what we have got to capture.

26
27 Mr. Shaw said they are doing the courtyard because there are other parking lots that
28 can adjoin to that and people can walk through to get to places quickly. Parking
29 garages are not conducive. If you're going shopping you're not going to want to go up
30 to find a parking spot and walk down. Little parking lots of 30 here and there are what
31 we need to look at. We are already looking at Crystal and thinking how we can build a
32 building and put in another 30 spots here and there. People find those. It is working
33 and we just have to stay ahead of the game.

34
35 Commissioner Plank asked Mr. Shaw if he had any feedback from the customers as to
36 how they like the parking lot versus being able to park in front of the stores.

37
38 Mr. Shaw said they love it. It took them a while to find it. They are putting up a sign
39 pointing to the parking area. Just little things to keep everyone attuned to what's going
40 on.

41
42 Deputy Mayor Lucarelli said she parks in the Seminole Avenue lot all the time. She
43 thought it was very convenient.

44
45 Commissioner Duryea asked the reason for the new variance on Crystal Lake Avenue.
46

1 Mr. Shaw said there will be an 11-foot walkway back there before you get to the
2 building. That is what we did on Lakeview. Going to zero allows us to put in courtyards.
3 He said if he couldn't have zero then he couldn't get the courtyards and do what he
4 wants to do. He wants to make sure they have big sidewalks. In the corner of the new
5 building with the pergola, it is 14 or 15 feet to the curb. There is a lot of room for tables.
6 He made sure to keep the wide sidewalks.

7
8 Mayor Meador said that is a wonderful amenity—every table taken outside and people
9 enjoying the weather and setting is what we want.

10
11 Mr. Shaw said when you are driving down Fourth Street you will see that corner but will
12 also see people sitting in that pergola with tables and a fireplace and that invites people
13 and is what we want. We spent a lot of time on it.

14
15 Mayor Meador asked if anyone wanted to speak in reference to this request for a site
16 plan revision. No one came forward and the public hearing was closed.

17
18 **Motion was made by Deputy Mayor Lucarelli to approve the site plan revision with**
19 **variances with the two conditions outlined in staff report for Fountainview Office**
20 **Building, seconded by Commissioner Plank and motion carried by roll-call vote:**
21 **Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes; Commissioner Duryea,**
22 **Yes; Commissioner Plank, Yes; Mayor Meador, Yes.**

23
24 B. Resolution No. 920 – Authorize joining the Florida Local Government
25 Investment Trust (Florida Trust) (Dianne Holloway, Finance Director)

26
27 The City Attorney read Resolution No. 920 by title only.

28
29 Ms. Holloway said with the economic times we have been facing it has been very hard
30 to find opportunities to invest our money, keep it safe, and optimize returns. We believe
31 we have found an opportunity with the Florida Investment Trust which is a local
32 government pool investment fund. It is a short-term bond fund and has the same
33 objectives as our City investment policy to optimize our returns, protect our investments,
34 and keep them safe and liquid. She said Resolution No. 920 is to ask the Commission
35 to authorize the City to join the fund. She stated Mike Moreno from the Trust was
36 present.

37
38 Mayor Meador said we are trying to enhance the return on investments.

39
40 Ms. Holloway said we are trying to diversify and enhance our earnings.

41
42 Commissioner Duryea commended Ms. Holloway's efforts to maximize our investments.
43 He expressed concern of some of the investments that the fund invests in. We haven't
44 really torn up return on investments when it comes to numbers but we have been very
45 diligent in protecting the funds that we have in our possession. Some of the things that
46 the Florida Fund invests in are not the things that we have been investing in. It's a

1 question of Ms. Holloway's confidence level. He was sure the City Manager had
2 discussed the same thing with her.

3
4 Ms. Sova said she has. This is a trust fund that has been around a while. It is typically
5 used more by counties than cities and she has been familiar with it for a number of
6 years. We used to be in the SBA and got that money out of there by a hair. She said
7 she was not really bothered by the mixture of what they have here. It is authorized by
8 our investment policy. She said she never went out and individually bought these kinds
9 of pieces of paper and this is happening in a pool situation. It is better for us and easier
10 for us. This is a very liquid fund and we can get our money the next day. They came
11 through the whole financial situation without freezing any funds. They didn't lock up
12 anything the whole time which speaks volumes for how they operated and continue to
13 operate. She said she had met with Mike (Moreno) and has looked through all of this.
14 It is authorized and is broader than what she did because on a one-to-one basis she
15 didn't have that kind of experience and it would have been a lot of work and research.
16 In a pool situation their firm can do all that work and research.

17
18 Commissioner Brender said he wasn't an advanced investor but this is essentially
19 bonds. Everything he reads tells him we are not going to deflate anymore but are going
20 to be facing inflation of some increases of dastardly amounts over the next several
21 years and knowing that bond prices fall as inflation comes on. There is no doubt that
22 inflation is coming. You cannot stay at one-quarter of one percent and have any more
23 left. He expressed concern that these were going to fall in value. Even though we are
24 getting a return they are not going to be worth anything when we try to sell them.

25
26 Mike Moreno, Program/Marketing Manager for the Florida Local Government
27 Investment Trust, 3544 Maclay Boulevard, Tallahassee, Florida 32312, came forward.
28 To address the concerns and the fact that this is a bond fund--and hopefully rates will
29 not go any lower than what they are now--we stress test this fund to evaluate what
30 would happen in the instance that rates rise over a year period. The way we balance
31 this fund we feel confident that you will have plenty of notice as a participant with the
32 rising rate environment, that we are not in yet, and you would have time to make some
33 decisions without any risk of any loss. Economists across the board, including the
34 economists with our investment advisor for this fund, feel confident that rates are not
35 going to rise at least until 2015. If you are following statements from the Feds, they are
36 moving away from date benchmarks and looking at indicators such as unemployment
37 rates and rates within the economy to trigger rate increases. We are going to have lots
38 of evidence that bears out in the news and in the markets to make those shifts.

39
40 Mr. Moreno said one of the things he wanted to clarify as part of your membership in the
41 Florida Local Government Investment Trust is not only a short term bond fund, which
42 has existed for 20 years, but also our money market. Money market rates are
43 extremely low right now but any raising rate environment the money market is going to
44 be more attractive. Because you are a member of the fund, you can have accounts in
45 both funds. It is very easy to diversify out of the Florida Trust but also stay within the
46 program and move over to the money market when rates deem it appropriate.

1
2 Commissioner Duryea asked the costs.

3
4 Mr. Moreno said rates that are advertised or are in your materials are net expenses. On
5 average the expenses for this fund are about 20 basis points and those are going to
6 fluctuate.

7
8 Commissioner Duryea asked about trading costs and things like that.

9
10 Mr. Moreno said the beautiful thing about the Florida Trust is it is a short-term bond fund
11 but works in a way like a checking account. You make a deposit, and we take that
12 deposit and convert it into shares. The City Manager was describing going out and
13 purchasing securities directly in the market. For liquidity I might have to sell that
14 instrument early or take on that risk. With the Florida Trust and the short-term bond
15 fund, when you need your money you simply make a withdrawal. It is our investment
16 advisor's responsibility to balance the fund and make sure liquidity needs are met. In
17 terms of risks, transaction costs and all of that, that is not factored into your expenses or
18 the expenses on the fund. Those costs are built into the investment advisor cost and is
19 part of that 20 basis points. When you are a member of the Trust we do not hit you with
20 any other fees so any time you make a transfer there are wire costs associated with that
21 and we absorb all those costs through the program. That 20-ish basis points is your
22 expenses period. You do not get hit with any other fees.

23
24 **SIDE 1B**

25
26 **Motion was made by Commissioner Brender to approve Resolution No. 920,**
27 **seconded by Deputy Mayor Lucarelli and motion carried by roll-call vote:**
28 **Commissioner Brender, Yes; Commissioner Duryea, No; Commissioner Plank,**
29 **Yes; Deputy Mayor Lucarelli, Yes; Mayor Mealor, Yes.**

30
31 IX. Citizen Participation

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

34
35 X. Reports

36
37 A. City Manager

38
39 1. Misty Oaks subdivision speed limit reduction request

40
41 Ms. Sova said this is a request from Misty Oaks to reduce their speed limit. When we
42 put the agenda package together we did not have enough information from the stealth
43 survey and Deputy Chief Morgan will present that information tonight.

44
45 Deputy Chief Morgan came forward. He said he had a call in early March asking for
46 reduction of the speed limit in Misty Oaks to 15 MPH. He told the gentleman we would

1 like to do a stealth study to find out what the traffic volume is and what the speeds are.
2 Chief Morgan said the gentleman was willing to work with them. He gentleman had a
3 truck run off the road and go into his yard a week prior to this request and that caused
4 him great alarm.

5
6 Deputy Chief Morgan said we placed the stealth machine on March 8, 2013, and went
7 to March 14, 2013, so we got a full seven days of volume and speed. Eighty-five
8 percentile of speed was at 25 MPH which means 85% of all traffic is going 25 MPH. We
9 did it in both directions. It is almost a circled community and had an average of 265
10 cars in a week that traveled one direction and 265 traveled in the other direction. Of
11 that 265, six vehicles traveled at 31 – 35 MPH in one direction and nine vehicles
12 traveled 31 – 35 MPH in the other direction. Other than that everyone was 25 MPH or
13 less which made the 85 percentile at 25 MPH. Staff does not recommend the reduction
14 of the speed limit.

15
16 Mayor Mealor thanked Deputy Chief Morgan for the work he did. A number of years
17 ago Manderley came forward with some concerns and once we monitored it they
18 decided it was best to try to handle the situation internally with the homeowners' group
19 and individual residents. Staff is requesting no action from the Commission. He asked
20 if there were any objections to the staff report.

21
22 **There were no objections from the Board and the request to lower the speed limit**
23 **was denied.**

24
25 Commissioner Brender asked if they were going to step up enforcement.

26
27 Deputy Chief Morgan said we already have. We did write a couple of tickets right off
28 the bat. We reduced our tolerance level. The presence of the motorcycles are there
29 and woke a few people up and thought that is what they needed to do.

30
31 2. Contract for the Lake Mary Tennis Center Management/Pro

32
33 Ms. Sova said we have completed contract negotiations with Steve Huber to be the
34 Tennis Center Pro. She said Gunnar Smith and Bryan Nipe would present the results of
35 those negotiations.

36
37 Gunnar Smith, Recreation/Events Center Manager, and Bryan Nipe, Parks &
38 Recreation Director, came forward. Mr. Smith said we have come to an agreement with
39 Mr. Huber for a one-year agreement. This contract is more incentive based than the
40 past contracts we have had. The revenue shared in this agreement is structured
41 differently. We will no longer provide the Tennis Pro/Manager with a monthly stipend.
42 We will now have the Tennis Pro collect all the fees associated with memberships, daily
43 fees, pro shop, lessons and everything and then remit back to the City a 35% fee that is
44 associated with membership dues and daily fees only. He will keep 100% of his
45 lessons, pro shop fees, tournaments and things like that. We feel like it is more
46 incentive based. He said Mr. Huber was happy with the proposed contract as is staff.

1
2 Commissioner Duryea said this was kind of strange in that this is a whole flip of where
3 he thought it was going to go. The pro is going to collect all the monies and then give
4 some to the City.

5
6 Mr. Smith said that was correct. He said Mr. Huber would write a check to the City
7 monthly. The way it used to be we had all the money and wrote him a check.

8
9 Commissioner Duryea said given past history he questioned if that was a good idea. It
10 has nothing to do with people involved but just procedure.

11
12 Mr. Smith said it is very consistent with what we are doing with other contracts in the
13 City. Since Mr. Huber has taken over in late November, revenues from memberships
14 and daily fees have increased tremendously.

15
16 Commissioner Plank said he believed they made an excellent choice in choosing Steve
17 and thought he would do a good job.

18
19 **Motion was made by Deputy Mayor Lucarelli to enter into a contract with Steve**
20 **Huber for Tennis Center Pro for a term of one year and authorize City Manager to**
21 **execute, seconded by Commissioner Plank and motion carried unanimously.**

22
23 3. Surplus forty-one Taser X-26's

24
25 Ms. Sova said this is a request to surplus 41 Taser X-26's. We are going to trade them
26 in for credit on the next group.

27
28 **Motion was made by Commissioner Plank to declare 41 Taser X-26's surplus as**
29 **listed in the staff report and authorize City Manager to dispose of, seconded by**
30 **Deputy Mayor Lucarelli and motion carried unanimously.**

31
32 4. Appointment to Elder Affairs Commission

33
34 Ms. Sova said this is an appointment to the Elder Affairs Commission. At their meeting
35 on March 11, 2013, the Elder Affairs Commission unanimously approved
36 recommending Chris Kastl to fill one of the two vacant seats. She noted Mr. Kastl's
37 board appointment form was in the packets.

38
39 **Motion was made by Deputy Mayor Lucarelli to appoint Chris Kastl to the Elder**
40 **Affairs Commission, seconded by Commissioner Brender and motion carried**
41 **unanimously.**

42
43 5. Canceling April 4, 2013, Commission meeting

44
45 Ms. Sova asked the Commission to cancel the April 4, 2013, City Commission meeting.
46 That was brought up February 21st. It is the evening of the Boy Scouts Golden Eagle

1 dinner and the Commission would like to attend. Our workload worked out so we could
2 make this available.

3
4 **Motion was made by Commissioner Brender to cancel the April 4, 2013, City**
5 **Commission meeting, seconded by Deputy Mayor Lucarelli and motion carried**
6 **unanimously.**

7
8 Ms. Sova said she had a request from a young man who is renting the gazebo in April
9 because he wants to propose to his girlfriend and would like to have a few guests. He
10 would like to serve a champagne toast. It will be a small event but he would like to do
11 the right thing and ask properly. She asked permission for him to have his champagne
12 toast.

13
14 **Motion was made by Commissioner Plank to approve the request for a**
15 **champagne toast in the gazebo, seconded by Deputy Mayor Lucarelli and motion**
16 **carried unanimously.**

17
18 Ms. Sova reminded everyone the State of the City will be held Thursday, March 28th,
19 7:30 A.M., at the Events Center. We should have another fine presentation.

20
21 B. Mayor

22
23 Mayor Mealar said the Commission had the opportunity to be guests of the Forest
24 community this past week for their talent show on Monday evening and then their 40th
25 Anniversary.

26
27 Mayor Mealar said we were honored that the World Harmony Run in March chose Lake
28 Mary because in the very first of the year 2013, the same exhibit kicked off in the City of
29 San Diego with a large presentation by the mayor and the City of San Diego. That
30 exhibit came to Lake Mary and in our museum are prints of the work of Mr. Sri Chinmoy,
31 the founder of World Harmony Run. That work has been displayed in every major
32 museum in the world including the Louvre. Three of our citizens were given the torch
33 bearer medallion and recognized for their work. The first went to Dr. Walt Griffin for his
34 work with the school district and the children of Seminole County. The second went to
35 Ms. Jane Kenovich who is our museum curator. The third was presented to our City
36 Manager, Ms. Sova. That was a great event. Also highlighted was the work of a
37 number of our young children and their art and that art is on display at the museum.

38
39 Mayor Mealar thanked the World Harmony Run organizers for the very kind and
40 enjoyable morning.

41
42 C. Commissioners (1)

43
44 Commissioner Brender said Mr. Nipe visited the bronze foundry in Sanford looking for
45 statues for the park. He asked if they had gone any farther with cost estimates.

1 Mr. Nipe said we got cost estimates on four statues for Heritage Park and were around
2 \$25,000 apiece. That would be if we retained the rights to the art for the sculptures. If
3 we gave up the rights for the art for the sculptures they would be around \$20,000. We
4 are looking around \$80,000 for four bronze statues if we don't want to retain the art
5 rights.

6
7 Commissioner Brender said he gathered they were still exploring that.

8
9 Mr. Nipe said we have construction budgeted for 2013/2014. We will come back to the
10 Commission at that point with our final construction plans. We can go forward with
11 everything for the park including fountains, benches, walkways, flagpole, statues or we
12 can option out based on costs.

13
14 Commissioner Duryea had no report at this time.

15
16 Commissioner Plank said the Forest is a great community with some wonderful people
17 and we were honored to be included in both the judging and the 40th Anniversary party
18 which took place on Friday night. The Forest was our first development following
19 incorporation in the City of Lake Mary. It has been around for a long time and means a
20 lot to the community.

21
22 Deputy Mayor Lucarelli reminded everyone of Relay for Life on April 14th. We have a
23 great Lake Mary team and have more people from different departments on board this
24 year. If people can't participate she asked for donations.

25
26 Deputy Mayor Lucarelli said Lake Mary Family Fun Day is April 6th from 11:00 A.M. to
27 4:00 P.M. There will be the sticky wall, bounce house, joust, obstacle course, and rock
28 climb wall. Relay for Life will have a "Dunk a Cop" dunk tank where you can dunk a
29 police officer and at the same time help cancer victims and survivors. She thanked
30 Bryan (Nipe), Melissa (Palmer), Allan (Plank) and the Parks & Recreation Department
31 who have been a great help putting it all together.

32
33 Deputy Mayor Lucarelli said Tallahassee was a productive trip. The Tri-County League
34 of Cities and Florida League of Cities were there. We had 11 of our advocates there so
35 we had an excellent turnout from Orange, Osceola and Seminole Counties. She was
36 impressed with a lot of the freshmen who were very receptive. They listened, cared and
37 had really good input. The Transportation Bill concerned her because DOT is trying to
38 put in a paragraph: "Undertake any ancillary development that the Department
39 determines to be appropriate as a source of revenue for the establishment,
40 construction, operation or maintenance of any rail corridor owned by the state". She
41 said this was taken out of the High Speed Rail Bill and it is basically for billboards and
42 cell towers. It means they can put them anywhere they want within that corridor. We all
43 went into representatives' offices. That is something we need to keep an eye on. We
44 have these luxury apartments going in across from the SunRail Station and who is to
45 say they couldn't put a billboard up staring everybody in the face. This is not like high
46 speed rail that was going to go through the I-4 corridor where it might be more

1 appropriate but you're talking about communities of Sanford, Winter Park, Longwood,
2 Lake Mary, Orlando that are nice communities and you don't want billboards and cell
3 towers slammed in there. You never know when they will try to slip it in last minute on a
4 bill. She encouraged everyone to keep a watch and make an effort to e-mail or call.
5 She felt they were receptive to listening up there. We did a better job this year under
6 the leadership of Kathy Till. It has been more organized and focused. If you have an
7 issue with a bill that you don't like, go in with facts and data to support your position.
8 Don't just go in and say I don't want you to do this because I don't like it. Have a
9 specific reason that backs up your position so they have a reason to go before their
10 committee or peers and say have you thought about this and maybe this isn't such a
11 good idea. That way we help them help us.

12
13
14

D. City Attorney

15 Ms. Reischmann said she distributed a list of "Don'ts" from the Attorney General. The
16 big issue now is texting. Because texts don't get maintained and if there is a request for
17 a text often you are not able to retrieve it. In Orange County they are seizing their
18 personal cell phones. The new policy in Orange County is no texts of city business. It
19 is a good idea until technology catches up and things can be handled differently.
20 Hopefully everyone is using their City e-mail accounts and not any personal e-mails so
21 we don't have those issues that are so expensive for cities when there is a public
22 records request.

23
24

XI. Adjournment

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26

There being no further business, the meeting adjourned at 8:10 P.M.

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31

David J. Meador, Mayor

Mary Campbell, Deputy City Clerk

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34
35

ATTEST:

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37

Carol A. Foster, City Clerk

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