

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held April 2,
2 2015, 6:15 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,
3 Lake Mary, Florida.

4
5 The work session was called to order by Mayor David Mealor at 6:18 P.M.

6		
7	Mayor David Mealor	Jackie Sova, City Manager
8	Commissioner Gary Brender	Carol Foster, City Clerk
9	Deputy Mayor George Duryea	Dianne Holloway, Finance Director
10	Commissioner Sidney Miller	John Omana, Community Dev. Dir.
11	Commissioner Jo Ann Lucarelli	Steve Noto, Deputy City Planner
12		Bruce Paster, Public Works Director
13		Bryan Nipe, Parks & Recreation Dir.
14		Tom Tomerlin, Economic Dev. Mgr.
15		Wanda Broadway, HR Manager
16		Colin Morgan, Deputy Police Chief
17		Frank Cornier, Fire Chief
18		Katie Reischmann, City Attorney
19		Mary Campbell, Deputy City Clerk
20		

21 Items for Discussion:

22
23 I. U.S. Highway 17-92 CRA

24
25 Ms. Sova said as requested at the last meeting we have provided an overview of the
26 City's status of the 17-92 CRA. We are 18 years into the CRA, eight years into the
27 second extension, with about two years left. Mr. Tomerlin will give a presentation of all
28 the details of the status of the CRA, where it is, where our funding is, the City's
29 contributions which are running over \$60,000 a year, what we have been able to spend,
30 and future plans for the balance of the CRA.

31
32 Mr. Tomerlin said he wanted to lay out some high level points about this CRA and
33 stressed the dollar figures he would share are preliminary. They are about five months
34 old and they were shared with us by County staff that runs the CRA.

35
36 Mr. Tomerlin showed the CRA boundary on the overhead outlined in red. The yellow is
37 the City of Lake Mary's jurisdiction. Our jurisdiction within the CRA is limited. It
38 basically includes Victoria Plaza, the Publix Plaza, and the frontage associated with the
39 townhome development.

40
41 Mr. Tomerlin said it appears the City of Lake Mary has contributed approximately
42 \$620,000. There has been approximately \$151,839 spent on grant projects that have
43 occurred in the city limits. These projects include two small sign grants and one larger
44 grant for the charter school that is going to locate in the old Litchfield movie theater,
45 which was a church prior to its construction towards a charter school. That leaves a

1 gap of approximately \$468,311 between what we have contributed directly into this CRA
2 versus projects that have been expended by private organizations.

3
4 Mr. Tomerlin said the CRA will terminate in 2017 and the County has put together a
5 draft capital improvement plan that outlines the expenditure of the remaining funds.
6 We're estimating approximately \$10.9 million of unspent funds but much of those funds
7 will be expended according to the capital improvement plan throughout its two-year life
8 that remains. The big projects they are allocated for are Oxford Road incentives,
9 Oxford Place which is the area associated with the Jai Alai. There is approximately \$2
10 million allocated for those projects. Another big ticket project is the redevelopment of
11 the Flea World property. He thought it was going to be called Reagan Center. That has
12 approximately \$2 million attached to that. There is \$3 million allocated for the purchase
13 of stormwater pond sites. There is an additional \$750,000 allocated for the study of
14 where those pond sites might be that is basically a master stormwater plan for the entire
15 13-mile corridor within the CRA. With those three projects combined plus the \$750,000
16 for the study you are knocking on the door of about \$8 million of that \$10.9 million spent
17 for the capital improvement plans.

18
19 Mr. Tomerlin said for the disposition of the funds he would defer to the City Attorney on
20 the laws that dictate that. The County has basically encumbered those funds via the
21 capital improvement plan to a handful of projects. With that he was happy to get into his
22 understanding of the disposition of those funds upon expiration of the CRA or answer
23 any questions.

24
25 Commissioner Brender asked the number of the excess funds that are so far
26 unencumbered.

27
28 Mr. Tomerlin said he didn't know what level of acceptance this capital improvement plan
29 has within the organization but at the end of the Fiscal Year 2017/2018 when the CRA
30 will expire, there is an ending fund balance of approximately \$1.1 million. They go from
31 \$10.9 million of unspent and spending it rapidly over the course of these two years to
32 having \$1.1 million left over according to that plan.

33
34 Commissioner Brender said the difficulty right now is that there is no legal plan or legal
35 definition of what happens to that \$1.1 million.

36
37 Ms. Reischmann said Section 7 that Tom has highlighted in his memo does address the
38 distribution of funds at termination but it is kind of particular to stating that it's when the
39 plan is completed and it only applies to unspent and unencumbered funds, which these
40 funds could become encumbered before we get to the end. It doesn't really address
41 what the potential could be if the funds are encumbered at the end and the plan is not
42 complete or if the funds are unencumbered but the plan is not complete then the funds
43 could be encumbered even after the CRA is terminated. That's the expectation under
44 the statute that addresses the disposition of trust funds at the end of a fiscal year that
45 you could actually encumber those funds to be spent over three years so potentially
46 under the law that million dollars could be encumbered as long as it was spent within a

1 period of time. That's an unknown because the CRA is a creature of statute. It doesn't
2 have home rule powers except where there is nothing specific in the statute to guide us.
3 You could argue that the money left in the CRA pot is subject to being spent within a
4 period of time. There are a lot of different arguments that could be made. The main
5 issue is as long as the funds were technically encumbered at the end of the term then it
6 would not be distributed. If it was distributed it is fairly clear it would go in the same
7 proportion to the contribution and Tom has made that determination of 2.47.

8
9 Mr. Tomerlin said that 2.47% represents the total amount of the tax increment funds that
10 has been paid out of our millage rate—our city contribution into the overall CRA Tax
11 Trust Fund. If we were to distribute it according to that 2.47% we would come out far
12 below what we have remaining in terms of our total contributions into that CRA. If we
13 apply 2.47% to \$10.9 million of unspent funds that exist today that would leave us
14 approximately \$271,000, whereas we have approximately \$470,000 of unspent funds
15 within the city limits. Applying that 2.47% to today's dollars still gets us to a level far
16 below our total contributions.

17
18 Mr. Tomerlin said the \$1.1 million being shown as an ending fund balance at the end of
19 Fiscal Year 2017/18, it is not clear to him if some of that would carry forward for long-
20 term maintenance of certain things such as streetlighting. He was not sure if that
21 ending fund balance has some encumbrance to it for future maintenance. That is
22 something we could find out if that is of interest.

23
24 Mr. Tomerlin said another number he did not verbalize is our tax bill into this trust fund.
25 Last fiscal year was \$66,109.74. With property the way it is now we would expect that
26 \$66,000 tax bill to increase by a small margin over the next two years of the life of this
27 CRA.

28
29 Commissioner Lucarelli asked if we could get out early and if there was a penalty. She
30 asked our rights. She has been on the CRA for a number of years representing the
31 City's interests and has been very disappointed this last year over the sudden turn in
32 direction the CRA board has decided to take. There were promises made to us in the
33 past of landscape improvements and different things in the median in our little portion.
34 We are basically a donor community and thought that was a bit unfair and if they are all
35 of a sudden changing things midstream and we don't have an opportunity to benefit at
36 all from those median improvements or landscape in our tiny portion then the bottom
37 line is she wants out. She wants whatever percentage we are allowed out now because
38 that is not fair to our citizens. We could be using those funds here to benefit our
39 community and our taxpayers directly rather than Casselberry and everybody else who
40 is way far exceeding what we have remotely gotten out of it. It is not fair to Lake Mary.

41
42 Commissioner Brender asked if there was an out.

43
44 Ms. Reischmann said the real issue is whether we have a basis to claim that there has
45 been any violation of the interlocal. If we don't have a basis to claim that then we have
46 a couple of options. One is to seek an amendment to the interlocal. With the number of

1 parties involved and the limited term left, you can see the difficulty involved in trying to
2 do that but it is an option. The other option is to seek to invoke the dispute resolution
3 procedure outlined in the interlocal which is also outlined further in another interlocal
4 from long ago which is basically a mediation process. It could perhaps bring us
5 speedier resolution. Basically you are talking about a contract that you are trying to
6 take yourself out of without having a provision for doing so.
7

8 Commissioner Lucarelli said when John Mesopoulos was on staff and in charge of the
9 RPA, she, John Omana, and John Mesopoulos discussed the agreement where it was
10 going to be a joint project with us and the County to do those median improvements.
11 The only thing we were waiting on was for DOT to do the 17-92 improvements which
12 are scheduled for this year. She didn't know if anything ever went in writing but there
13 was an understanding that we were going to do this and was a county/city partnership.
14 She felt like they have pulled the rug out from under us and are going back on their
15 word. She didn't care if they have changed staff. That was not her problem. The
16 problem is we were made a promise and now they are backing out. She asked if that
17 constitutes a breach of contract on their part.
18

19 Mr. Omana said dovetailing on Commissioner Lucarelli's comments, we even took it to
20 the extent of preparing an application for said improvements and preparing some
21 preliminary engineering documents and plans. Upon presentation of those documents
22 the issue of the FDOT timelines and County timelines was introduced so we were
23 directed to put it on hold. How that fits within the confines of the agreement and the
24 interlocal has to be reviewed. There was a hold put on our efforts to move forward.
25

26 Commissioner Lucarelli interjected as directed by County staff and County leaders. She
27 felt like we were misled.
28

29 Mayor Mealor asked the timeframe when they went forward and then put on hold.
30

31 Ms. Sova said that has been since she has been City Manager so it is a two-year
32 timeframe.
33

34 Mr. Tomerlin asked to add a couple of other points. In terms of underwater and in terms
35 of what we have contributed to this area versus what has been pulled out in forms of
36 grants or any other kind of project, it is noteworthy to state we are not the only city that
37 is underwater. He thought Sanford was about 64% of what they've put in that they have
38 actually tied to a project. The City of Winter Springs is 50-60% of what they have put in
39 that they have extracted from a project. The City of Lake Mary isn't alone. Casselberry
40 has come out ahead but Sanford and Winter Springs have not achieved project work to
41 a level of what they have contributed.
42

43 Commissioner Brender said there is nobody that has put in as much as us and gotten
44 less out.
45

1 Mr. Tomerlin said on a percentage term we are the most underwater of the contributing
2 cities. We have scratched our heads a great deal about projects and can we come up
3 with a project to try and get some benefit to the taxpayers of our participation. We've
4 thought hard but maybe we can think some more but time is running out on the CRA.
5 Project work is another avenue in which we can try to achieve some benefit.
6

7 Ms. Sova said it is a very small area and one of the projects that came to light was
8 moving further up Weldon Boulevard with improvements as a gateway to the
9 college/gateway to the City. Almost anything we try there would probably entail some
10 lighting. With the topography of the townhome development where it slopes down, if we
11 were to put in any lighting we would probably be lighting people's bedrooms and that is
12 not going to be well received. Those are the types of projects we have looked at.
13 There is a very small parcel left within the city limits at the corner but we can't come up
14 with a public purpose to be on that parcel. It is a little big for just an entry sign. We
15 don't want to make an attractive nuisance there and give people who hang out on 17-92
16 a place to stay. We have done a lot of looking as to what we can do here. It is
17 disappointing to count on receiving funding for a project and then have it pulled.
18

19 Mayor Meador said back when this was brought forward there was a great deal of
20 enthusiasm. We were coming off the success of the penny sales tax and that penny
21 sales tax had not been reauthorized where the school district was receiving a
22 percentage of the penny. In many ways we were looking at this as a countywide
23 initiative where we would all benefit. On the frontage of 17-92, Winter Springs and Lake
24 Mary probably have the least amount of frontage. The issue about being underwater or
25 a donor to this particular initiative is probably going to fall on deaf ears. The City of
26 Lake Mary has been the beneficiary of a lot of initiatives with County support. In some
27 ways simply because of our geographic location and the activity in this area probably
28 received more of a benefit than some of our sister cities. He would look at that as more
29 or less a wash.
30

31 Mayor Meador said this is going to sunset in 2017. He thought Mayor Greene did a
32 good job when this was reauthorized to work on the City's percentage and
33 Commissioner Lucarelli has been engaged in this. He said he didn't think we want to
34 opt out because we are not going to get the other signees to sign off on it. We have a
35 new County Chairman and there is a great deal of interest in some economic
36 development initiatives with the college and the Rinehart Road corridor. We have a
37 two-prong way we might approach this. He would ask the Commission's direction
38 whether it would be through Dr. Tomerlin, the City Manager or us as a body to reach out
39 to the Chair of the County Commission for a specific project that takes advantage of the
40 countywide magnet Science School that is now in the Victoria Square area, the entry on
41 Weldon to the college and then the landscaping issues and see if we could go ahead
42 with that initiative. We're not asking for a lot but asking for a reconsideration of a
43 promise made where we had already invested time and effort into a plan. We know
44 there were personnel changes in the County but he thought right now we might have a
45 receptive ear where there are four beneficiaries: the County, City of Lake Mary, the

1 school district, and Seminole State College. He thought we could get a receptive ear to
2 that.

3
4 Deputy Mayor Duryea said this has been going on for a long time. He wasn't in favor of
5 it to begin with. We put a lot of money in this and we didn't have a dog in the fight. He
6 thought we should get out as soon as we can.

7
8 Mayor Meador said with what we are going to be asking with the County down the road
9 with FDOT and some other initiatives, this might be a time where we just step out in
10 good faith and ask to honor a promise made.

11
12 Ms. Reischmann said there is a specific provision we can point to when we speak to the
13 Chair and that is there is a requirement that the RPA consider relative contributions and
14 the amount spent. The only real provision that puts a constraint on the CRA's power
15 says that the CRA can't spend money on a project that the RPA hasn't approved. The
16 CRA has to act consistent with this interlocal. It's really the RPA that's supposed to look
17 to that relative contribution.

18
19 Mayor Meador asked who was the City's representative at this time.

20
21 Mr. Omana said he was a member of the TAC committee which a representative of
22 each municipality comments on each project. The actual RPA is Commissioner
23 Lucarelli and they serve as an advisory recommending body to the CRA. At the end of
24 the day the CRA makes the final recommendation as to whether the project is a yea or
25 a nay.

26
27 Mayor Meador said by statute they have to meet at least once a year, usually in
28 December. Whenever the next meeting is make this an agended item for discussion.

29
30 Mr. Omana said over the last couple of years their protocol has been to meet on project
31 specific agenda items. It is within the power of any member of the RPA to bring forward
32 an item as they deem appropriate.

33
34 Mayor Meador asked Commissioner Lucarelli if she would consider working with Mr.
35 Omana and if it is the will of the Commission to go ahead and request a meeting with an
36 agended item for reconsideration and bring that back.

37
38 Commissioner Brender asked what we are asking for.

39
40 Mr. Omana said we would be speaking specifically to the landscaping project that we
41 put an application for a couple of years ago.

42
43 Commissioner Brender said in the main part of the road.

44
45 Mr. Omana answered affirmatively.

46

1 Mayor Mealor said if we want we can do an add-on for the Science School and the
2 gateway to the college as an entry feature. Hopefully we can recover something but we
3 are not going to recover a lot.
4
5 Commissioner Brender said he found out last night at CALNO that Casselberry is
6 coming in requesting a ten-year extension. The problem he has with this and he had
7 the problem 20 years ago is this has been hugely successful by government standards.
8 We have spent \$25 million. Find me something along that 10 or 12-mile road that looks
9 like \$25 million. There is nothing there. Most of the improvements are FDOT
10 improvements.
11
12 Mayor Mealor said he would doubt there are three votes on this commission to extend.
13
14 Commissioner Brender considered throwing \$5,000 into a sign or \$25,000 into a sign for
15 Victoria Shopping Center, that is private enterprise and why is the CRA spending
16 money doing that. We can do some decorative improvements to the main part of the
17 road. If we can spend some of that money then let's do that.
18
19 Mayor Mealor asked Mr. Omana if he had captured the essence of Commissioner
20 Brender's statement.
21
22 Mr. Omana answered affirmatively.
23
24 Mayor Mealor asked if there were any objections if we tasked our commission
25 representative, Commissioner Lucarelli, through our City Manager and Mr. Omana as
26 the RPA representative to reach out for a called meeting and an agenda item. There
27 were no objections from the Board.
28
29 Mayor Mealor said we have a new County Chairman and the opportunity to operate in a
30 collaborative spirit. Mr. Omana was instrumental in working with Seminole State
31 College when we did the quit claim for their signage. He asked if there was a way to
32 piggyback on that for the Science School and Weldon.
33
34 Mr. Omana said we will look at that.
35
36 Commissioner Brender asked when 17-92 construction was starting.
37
38 Mr. Omana said the scheduled construction of the Shepherd/Lake Mary Boulevard
39 section was May to June of this year but we can try to get that confirmed. If there is an
40 opportunity within that timeframe to make an amendment to any of those plans to
41 incorporate our revised proposal would be a positive.
42
43 There being no further business, the work session adjourned at 6:50 P.M.
44

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

4
5 1. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:05 P.M.

8
9 2. Moment of Silence

10
11 3. Pledge of Allegiance

12
13 4. Roll Call

14
15 Mayor David Mealor
16 Commissioner Gary Brender
17 Deputy Mayor George Duryea
18 Commissioner Sidney Miller
19 Commissioner Jo Ann Lucarelli

Jackie Sova, City Manager
Carol Foster, City Clerk
Dianne Holloway, Finance Director
John Omana, Community Dev. Dir.
Steve Noto, Deputy City Planner
Bruce Paster, Public Works Director
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Tom Tomerlin, Economic Dev. Mgr.
Wanda Broadway, HR Manager
Colin Morgan, Deputy Police Chief
Frank Cornier, Fire Chief
Katie Reischmann, City Attorney
Mary Campbell, Deputy City Clerk

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28
29 5. Approval of Minutes: March 19, 2015

30
31 **Motion was made by Commissioner Brender to approve the minutes of the March**
32 **19, 2015, meeting, seconded by Commissioner Lucarelli and motion carried**
33 **unanimously.**

34
35 6. Special Presentations

36
37 A. Seminole State College's 50th Anniversary – Dr. Ann McGee, President

38
39 Dr. Ann McGee, President of Seminole State College, came forward. She said she had
40 never been in this building. She has gone around to the cities and the County
41 presenting the 50th Anniversary picture and Lake Mary gets the prize for the most
42 beautiful facility.

43
44 Dr. McGee thanked the Commission for having her tonight. It is our 50th Anniversary
45 and the City of Lake Mary has been an incredible partner for the college for these 50
46 years. Mayor Mealor has a special role with us in his role with the University of Central

1 Florida and Direct Connect. She loved Sid Miller as a trustee at the college and is the
2 reason we have our Heathrow facility with the Sidney C. Miller Suite. In our 50 years
3 we have awarded 86,000 degrees and certificates from high school diplomas through
4 bachelor's degrees and Jo Ann (Lucarelli) was one of those 86,000 certificates we
5 awarded over the years. Each of the Commission are well connected with the college.
6

7 Dr. McGee said she was here to say thank you and to present the Commission with a
8 reminder of who we all serve and it's the next generation of students. We will be one of
9 your sponsors this Saturday for the festival because we decided for the 50th Anniversary
10 we would go out to the community and sponsor events in each one of our cities and the
11 County.
12

13 Mayor Meador said this week the most recent edition of *Florida Trend* magazine came
14 out and what an honor for Dr. McGee to be singled out as one of the people to watch in
15 the Central Florida Region.
16

17 Dr. McGee presented the picture to Mayor Meador. Dr. McGee said the young woman
18 in the center is Ariel Ripley who is one of their nursing students married to a disabled Air
19 Force veteran. She is completing her bachelor's degree in nursing at the University of
20 Central Florida so you have a great reminder here.
21

22 Mayor Meador said Seminole State has been a remarkable partner. One of the true
23 testaments with Dr. Tomerlin working on the area of economic development is one of
24 the comments we get is how fortunate we are to have Seminole State College as our
25 partner in terms of the talent pool that you are providing for industry in this region.
26

27 B. Presentation of the SunRail Bell – Commissioner Brenda Carey, Chairman,
28 Board of County Commissioners
29

30 Commissioner Brenda Carey, Chairman, Board of County Commissioners, came
31 forward. In May of last year SunRail went into operation and has been a great success
32 story so far. Ridership numbers through March were 850,000 people. Lake Mary is one
33 of the top locations and average 400 riders a day. As the apartments continue to get
34 occupied and all the things that will happen around the station your numbers will
35 continue to go up because you were one of the first station stops that had some
36 redevelopment opportunities that kicked in quickly to coincide with SunRail. It has been
37 a great partnership and we are so happy we have four stations in Seminole County.
38 When she became the Chairman at the end of November, in January we were going
39 through all the things that carried over that hadn't been taken care of and one of them
40 was that we had all those bells. We shouldn't have them and they should go to the
41 cities. This is the bell that was at the grand opening on April 30th and it has Lake Mary
42 Station on it. They are portable so you need a safe place to display it. It is the bell that
43 rang when SunRail started that morning. She thanked the City for being their partner on
44 this and congratulations on your great numbers on SunRail.
45

1 Mayor Mealor said with Commissioner Carey's responsibility to 430,000 residents of
2 Seminole County she has been incredibly helpful to the City of Lake Mary. SunRail and
3 the TOD project was a perfect example of a true collaborative partnership between the
4 County and the City. We both benefitted and with the economic development that she
5 is assisting it means a great deal to this community.
6

7 7. Citizen Participation – This is an opportunity for anyone to come forward and
8 address the Commission on any matter relating to the City or of concern to our
9 citizens. This also includes: 1) any item discussed at a previous work session; 2)
10 any item not specifically listed on a previous agenda but discussed at a previous
11 commission meeting; or 3) any item on tonight's agenda not labeled as a public
12 hearing. Items requiring a public hearing are generally so noted on the agenda
13 and public input will be taken when the item is considered.
14

15 No one came forward at this time and citizen participation was closed.
16

17 8. Unfinished Business
18

19 A. Ordinance No. 1524 – Amending Sections 92.30 – 92.39 of the Code of
20 Ordinances, Lake Mary Events Center – Second Reading (Public Hearing)
21 (Bryan Nipe, Parks & Recreation Director)
22

23 The City Attorney read Ordinance No. 1524 by title only on second reading.
24

25 Mr. Nipe said we have nothing further to add other than one small change that was not
26 in the original memo to Section 92.03 regarding discounts. We wanted to clarify that the
27 three different discounts we offer for residents, employees, or corporate entities cannot
28 be combined.
29

30 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1524. No
31 one came forward and the public hearing was closed.
32

33 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1524 on**
34 **second reading, seconded by Commissioner Miller and motion carried by roll-call**
35 **vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner**
36 **Miller, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**
37

38 9. New Business
39

40 A. Conditional Use Approval to allow a Pre-K to third grade childcare
41 center/charter school (UCP Seminole Campus) in the PO (Professional
42 Office) Zoning District, 756 N. Sun Drive; UCP of Central Florida/Dr. Ilene
43 Wilkins, applicant (Public Hearing) (quasi-judicial) (Steve Noto, Deputy City
44 Planner)
45

1 Mr. Omana said he wanted to get some items on record since this is quasi-judicial in
2 nature. The conditional use is subject to ten findings of fact under the City's Land
3 Development Code. Being quasi-judicial and under public disclosure, he used to be a
4 member of the UCP Central Florida Board of Directors. He is no longer a Board of
5 Directors member. Our internal review by him and his staff we reviewed all the
6 documentation and we base our decision and recommendation based on Section
7 154.72 of the Land Development Code as well as Section 154.68 and the additional
8 locational criteria that is laid out in our code. He said he wanted to get that information
9 on the record and base the recommendation this evening on the information that was
10 presented by the representatives of the UCP.

11
12 Mr. Noto showed an aerial of the subject property at 756 North Sun Drive on the
13 overhead. Currently operating at this facility is a Kids Together daycare. You may be
14 asking if there is a daycare now and a daycare is proposed why are we here. There is
15 one difference in that the UCP is charter school so there are additional findings of fact
16 we have to review when you have a school come in. There is a difference in the way
17 operations are done now and how UCP will operate.

18
19 Mr. Noto put up a table showing the main differences. The building is 15,000 S.F.
20 Overall the Kids Together was a more impactful use with a higher number of children.
21 The staff is lower but the max staff for UCP is at maximum capacity. We can anticipate
22 about 25 staff members at the greatest point during operations. The hours of operation
23 are the same. He pointed out that 37% of the children for UCP are projected to be
24 bused in (about 70 children) whereas none at Kids Together are bused in. In findings of
25 fact No. 2 we talk about ingress/egress and traffic impact, we can expect a large
26 number of these kids to come in at one time via the bus program and there are
27 staggered schedules throughout the day.

28
29 Mr. Noto gave some history of the site. The Kids Together conditional use was
30 approved in 1996 for operation of a childcare center in the PO zoning district.
31 Subsequently in 1997 a site plan was approved for the Kids Together. Somewhere in
32 there there was an illegal subdivision done and is why the yellow property line jogs a bit
33 south of the building between the Kids Together and the office building. That was
34 rectified around 1998. There are access easements and such in place now where if you
35 are on the northeast corner of the site you can legally walk to the southwest corner of
36 the site.

37
38 Mr. Noto said we have the six findings of fact we have for all conditional uses,
39 compliance with the Comprehensive Plan, and we looked at the traffic. He pointed out
40 there is a left turn lane on Sun Drive if you are going eastbound to access the site.
41 There is the signalized intersection at Sun Drive and Lake Mary Boulevard and they
42 have the opportunity to go to Rinehart Road if they wish. When the site was developed
43 the original developer was required to put in a solid wall. There were residences
44 immediately to the east when this site was originally developed and that was the
45 intention. Now it is offices and has become its own little commercial and office corridor.

1 There is a significant amount of vegetation in the rear of the lot. The lot goes up into the
2 lake to the north.

3
4 Mr. Noto said when we do a school review we look at additional findings that we have to
5 review. Some are similar to the conditional use findings such as general compatibility
6 and things of that nature. There are a couple of different ones that he wanted to point
7 out such as provision No. 2 where it talks about attendant zones. Some of these
8 findings were more tailored for public schools. There are no attendant zones for charter
9 schools. He pointed out provision No. 7 regarding the high tech corridor. This site is
10 not within the high tech corridor so there are no issues with that or the comprehensive
11 plan.

12
13 Mr. Noto said the Planning & Zoning Board heard this item at their March 10, 2015,
14 meeting and voted unanimously 5 – 0 to recommend approval.

15
16 Mr. Noto stated staff is recommending approval with the findings of fact. He noted the
17 applicants were present.

18
19 Commissioner Brender said he and Steve (Noto) had a conversation a couple of days
20 ago regarding the attendants which was one of his concerns. Another concern is even
21 though there may be less students here, when you say a max number of students do
22 you mean all of them are there at once or does that mean they are staggered
23 throughout the day versus something like UCP where you are going to have 190
24 students and they are going to be there at a certain time in the morning and will be there
25 all day and released at a certain time in the evening.

26
27 Mr. Noto said what we found with Kids Together is at one point they had that many kids
28 throughout the day staggered. They don't have as many now as they did originally.
29 UCP is similar because they do have a daycare operation so it will still be a somewhat
30 staggered schedule throughout the day. When it comes to the playground area, max
31 operations we would be looking at 40 to 50 kids outside using the playground
32 equipment. The applicant could better describe what they experience on a day-to-day
33 basis between the division of kids there for schooling versus there for daycare
34 operations.

35
36 Commissioner Brender said he recalled the playground is on the east side of the
37 building.

38
39 Mr. Noto said that was correct. He pointed out the playground on the exhibit.

40
41 Mayor Mealor asked if anyone wanted to speak in reference to the conditional use
42 approval. No one came forward at this time and the public hearing was closed.

43
44 **Motion was made by Commissioner Lucarelli to approve the request by UCP of**
45 **Central Florida for a conditional use to allow a pre-K to third grade childcare**
46 **center/charter school in the PO zoning district at 756 North Sun Drive consistent**

1 **with the locational criteria and findings of fact as outlined in the staff report.**
2 **Seconded by Commissioner Miller.**

3
4 Commissioner Brender said he lived in this area and didn't have a problem with the
5 student counts. He didn't think it would be disturbing to existing areas but was
6 concerned about what would happen if the area across the lake develops. One of his
7 biggest concerns is Sun Drive is becoming a very crowded roadway. If we start packing
8 much more onto Sun Drive and the existing businesses that are there continue to pack
9 in more, we are going to reach a tipping point that is going to have some serious
10 impacts not only on Rinehart Road but the intersection with Lake Mary Boulevard. He
11 asked staff to keep that in the back of their heads.

12
13 Commissioner Miller said if he understood the presentation correctly with the 37%
14 busing, this will reduce traffic and should not increase it at all.

15
16 **Motion carried by roll-call vote: Deputy Mayor Duryea, Yes; Commissioner Miller,**
17 **Yes; Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Mayor Mealor,**
18 **Yes.**

19
20 Mayor Mealor said he had the privilege of working with the staff and the students at
21 UCP's current facility in an area we were talking about earlier this evening. He thought
22 this would be a wonderful addition for the students, faculty, and staff and especially for
23 the families. He welcomed them to this new facility and wished them every success.

24
25 B. Resolution No. 961 – Establishing an alternate 401 Money Purchase Plan
26 and an alternate 457 Deferred Compensation Plan (Dianne Holloway,
27 Finance Director)

28
29 The City Attorney read Resolution No. 961 by title only.

30
31 Ms. Holloway said at our strategic planning meeting on February 26th we discussed an
32 opportunity to provide voluntary additional options for the plans. Certified Financial
33 Group of Altamonte Springs gave a presentation, the Commission gave its blessing,
34 and we are bringing forth a resolution to move forward with it.

35
36 **Motion was made by Commissioner Miller to approve Resolution No. 961,**
37 **seconded by Commissioner Brender and motion carried unanimously.**

38
39 10. Other Items for Commission Action

40
41 There were no items to discuss at this time.

42
43 11. City Manager's Report

44
45 A. Items for Approval

1 a. Amendment of Public Works purchase order for Ferguson Enterprises,
2 Inc.
3

4 Ms. Sova said this is an amendment to the Public Works purchase order for Ferguson
5 Enterprises. This is an open purchase order for the year for a maximum dollar amount.
6 Under the City Manager's signature authority she can only sign for up to \$35,000. We
7 need to extend this purchase order up to \$45,000. This is for multiple purchases for
8 utility pipe fittings, tools, and specialty items that Public Works uses on a day-to-day
9 basis. She requested the Commission authorize her to approve a change order to the
10 Ferguson purchase order in the amount of \$13,000.

11
12 Commissioner Brender said we are usually so good at estimating costs. He asked if we
13 were getting extra stuff for this \$13,000.
14

15 Ms. Sova said we started the year at \$32,000 and thought we could make it. In years
16 past sometimes we have issued multiple purchase orders but we decided to address
17 this straight on and talk about what the total is going to be.
18

19 **Motion was made by Commissioner Lucarelli to authorize the City Manager to**
20 **approve a change order to the Ferguson Enterprises, Inc. purchase order in the**
21 **amount of \$13,000, seconded by Commissioner Brender and motion carried**
22 **unanimously.**
23

24 b. Surplus 2007 JLG Lift/Purchase Lift
25

26 Ms. Sova said this is a request to purchase a new lift and surplus our articulating boom
27 lift. We have a 2007 JLG Hydraulic Lift that we see in the parking lot doing tree
28 trimming and Christmas decorations. We issued Bid No. 15-02 advertised in February
29 2015. We received two responses, one from Sunbelt Rentals in the amount of \$72,287
30 and the other from Hertz Equipment Rental for \$66,925 including training. She asked
31 the Commission to authorize the purchase of a new 2014 JLG Hydraulic Lift and surplus
32 the 2007 lift.
33

34 Commissioner Brender said these are new and are not rentals.
35

36 Ms. Sova said it is new. This is the only type of company that has them.
37

38 Deputy Mayor Duryea asked if we could trade the one we have in.
39

40 Ms. Sova said we have asked our auctioneer to give an estimate of what we would get
41 from auction and it is greater than the trade-in value. Should we not be able to meet the
42 reserve at auction then we will go back to the trade-in value of \$13-14,000. The
43 auctioneer is estimating up to \$18,000. We'll take the better deal at the time.
44

45 **Motion was made by Commissioner Brender to declare 2007 JLG Lift surplus and**
46 **authorize the City Manager to dispose of and proceed with purchase of new 2015**

1 **JLG Lift in an amount not to exceed \$66,929 including training, seconded by**
2 **Commissioner Miller and motion carried unanimously.**
3

4 Ms. Sova said Family Fun Day is this Saturday from 10:00 A.M. to 3:00 P.M. at Central
5 Park. We have a day of fun and entertainment planned with children's activities, public
6 safety demonstrations, and much more. There will be a dunk tank and our Fire Chief is
7 going to participate.
8

9 Ms. Sova said the Trailblazers 5K will be held Saturday, April 25th at 7:30 A.M.
10 beginning at City Hall. Go to www.finalmileracemanagement.com for information on the
11 Trailblazers 5K.
12

13 Ms. Sova said for the youth summer camp to be held at the Lake Mary Community
14 Center from June 1st through August 14th, registration is currently open and continues
15 through April 10th. The fee is \$100 per session for residents and \$125 per session for
16 non-residents. You can reach city staff at 407-585-1416. We are looking at about 12
17 kids for each session.
18

19 Ms. Sova said the splash pad at Trailblazer Park is now open on weekends from 10:00
20 A.M. to 6:00 P.M. Passes can be purchased at the Lake Mary Community Center.
21

22 Ms. Sova said Florida Yards and Neighborhoods will conduct a class entitled "The Too
23 Wet Yard" on April 22nd from 6:00 P.M. to 8:00 P.M. at the Municipal Services Complex,
24 911 Wallace Court. Registration is required by calling 407-665-5575 or sending an e-
25 mail to fyn@seminolecountyfl.gov.
26

27 12. Mayor and Commissioners' Reports (3)
28

29 Mayor Mealar thanked the Lake Mary Rotary Club. Their annual Taste of Lake Mary
30 was held this past Monday. It is a way to showcase the restaurants and eateries in our
31 area. It was a beautiful event. He said he didn't know how the Rotary Club can take
32 something so incredibly good and make it better every year. It is a real compliment to
33 the leadership of the Lake Mary Rotary Club.
34

35 Mayor Mealar thanked the City Manager and staff for their support of the Lake Mary
36 Women's Club. Child abuse is such a devastating situation and our Lake Mary
37 Women's Club sponsored Pinwheels for Prevention and you will see those at the
38 museum. When you see a community group come together with the support of our city
39 staff, it makes us all stronger and better for that involvement.
40

41 Commissioner Miller said he had the opportunity this week to share our Lake Mary
42 brochure that Dr. Tomerlin has developed with 15 or so of his business associates. It
43 got rave reviews. It is magnificent and is a job well done.
44

45 Commissioner Miller said we talk about economic development all the time and the one
46 thing that gets in the way of what we are doing in Lake Mary, Central Florida, and the

1 State of Florida is water, both long term and short term. Senator Simmons is working
2 hard on trying to get the 33 springs cleaned up. Because the aquifer is going down the
3 brackish water is beginning to encroach farther inland. Our water supplies are in
4 danger. Probably the biggest single offender of our water supply is us, the citizens who
5 put St. Augustine lawns in. We are pouring the nitrogen and water to it. There is
6 probably something we could do as a city. He didn't know if we had the courage or the
7 wherewithal to do it but the idea is if there is another type of grass we can convert to
8 that is acceptable that uses less water and less nitrogen. Perhaps the City should
9 contemplate incentives for our population to do that.

10
11 Commissioner Lucarelli invited everyone to Family Fun Day. She thanked staff for their
12 hard work in making it such a great event. She was very proud. This is their sixth year
13 and it continues to grow and improve every year. Ten o'clock is when it kicks off with
14 opening remarks at the gazebo. She had a dunk tank lineup: 10:00 A.M. is Bruce from
15 Code Enforcement, 11:00 A.M. is the Fire Chief, noon is Firefighter Danielle, 1:00 P.M.
16 is Police Officer Claudia, and 2:00 P.M. is Fire Inspector Tina. She believed it was
17 \$5.00 per throw. It is a fundraiser for Relay for Life.

18
19 Commissioner Brender said he attended CALNO last night and the City of Longwood
20 hosted. They presented an overview of economic development in Longwood and is
21 very similar to certain sections of our city with the SunRail. They have an apartment
22 complex started and another up the road from the SunRail Station is going to begin
23 soon. We had some other discussions about their Planning Department and
24 Casselberry is planning to try and reestablish the CRA.

25
26 Commissioner Brender said there is a website called oppsite.net and is short for
27 opportunity site. A city or town can register on the site. He wasn't sure if there was a
28 fee. He thought Mr. Tomerlin should look into getting registered. It is a kind of
29 clearinghouse for something who just happens to be looking for "space". You can see
30 how many acres are available, how much square footage is available that might already
31 be built, and a few other things like that.

32
33 Mr. Tomerlin said he would look at that. He said he and Tom Krueger have
34 communicated about that. FPL has also jumped into the idea of advertising opportunity
35 sites. We have taken a step with the business opportunities booklet to label it
36 ourselves. This is how the real estate brokers make their living and they go to a couple
37 of sites. The thing we wanted to highlight with our own booklet is sites that aren't on the
38 front page of every broker's list. He said he would look into it.

39
40 Commissioner Brender said we are up against everybody. We now have some
41 excellent tools. He spent some time on the website earlier today and we did address
42 where Lake Mary is but wouldn't mind seeing a link on that first page that points directly
43 to business relocation and that kind of thing.

44
45 Mr. Tomerlin said it is part of the scrolling aspect but if you hit the Lake Mary site you
46 have to scroll through or fast forward.

1
2 Commissioner Brender said he thought it should be right there, up front and there all the
3 time.

4
5 Commissioner Miller said he just handed Commissioner Lucarelli a note that he would
6 be available for the dunk tank after 2:00 because he was challenging the balance of the
7 commissioners to take turns with him.

8
9 Deputy Mayor Duryea had no report at this time.

10
11 13. City Attorney's Report

12
13 Ms. Reischmann had no report at this time.

14
15 14. Adjournment

16
17 There being no further business, the meeting adjourned at 7:45 P.M.

18
19

20

21

22 _____
David J. Meador, Mayor

_____ Mary Campbell, Deputy City Clerk

23

24

25 ATTEST:

26

27

28

29

30 _____
Carol A. Foster, City Clerk