

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held April 18, 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 The meeting was called to order by Mayor David Mealor at 7:00 P.M.

9

10 II. Moment of Silence

11

12 Mayor Mealor asked everyone to reflect on what has happened this week in our
13 country. It gives us all the more reason to be thankful that we can assemble as we are
14 this evening.

15

16 III. Pledge of Allegiance

17

18 IV. Roll Call

19

20 Mayor David Mealor
21 Commissioner Gary Brender
22 Commissioner George Duryea
23 Commissioner Allan Plank
24 Deputy Mayor Jo Ann Lucarelli

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34 V. Approval of Minutes: March 21, 2013

35

36 **Motion was made by Commissioner Plank to approve the minutes of the March**
37 **21, 2013, meeting, seconded by Deputy Mayor Jo Ann Lucarelli and motion**
38 **carried unanimously.**

39

40 VI. Special Presentations

41

42 A. Proclamation – Children’s Mental Health Month – The Children’s Cabinet of
43 Seminole County

44

45 Lynn Whitcomb came forward on behalf of The Children’s Cabinet of Seminole.

46

1 The City Attorney read a proclamation proclaiming May 2013 as “Children’s Mental
2 Health Awareness Month” and May 9, 2013, as “National Children’s Mental Health
3 Awareness Day”.

4
5 Mayor Mealor presented the proclamation to Lynn Whitcomb.

6
7 Ms. Whitcomb said this proclamation is one of the parts that will help to erase stigmas
8 and increase awareness of children’s mental health. We are the recipients of a six-year
9 grant from SAMHSA which deals with children’s mental health in Seminole County. We
10 are in the process of implementing and directing a coordinated and comprehensive
11 service delivery system for all children. Right now we are working with those children
12 who have the most severe problems and to date have been working with and helping 88
13 families that have been affected by severe mental illness with their children. Of those
14 88, only two have been put into deep-end services and we continue to work with 70 of
15 those families.

16
17 Ms. Whitcomb said we have initiated a group called Youth Move that is children that
18 have mental illness in their family. They may or may not have it themselves but it is a
19 group of support where they can bond together and do good things in the community.
20 One of the good things they are doing is on May 11th they are having a walk at Crane’s
21 Roost. It is a free walk just to help increase awareness of mental health. If we can get
22 it to where we are not burying it in the sand and where we can talk about it comfortably
23 then people will seek help earlier and avoid deep-end problems that can hit, especially
24 in their teenage and young adult years.

25
26 Ms. Whitcomb said this grant is ongoing. She distributed a green sheet of layman’s
27 terms and a white sheet which is the comprehensive technical report (copies attached).
28 The Project Director is Tracy Pellegrino and her contact information is on the green
29 sheet. If there is any constituent you want to be helped by this program we would be
30 more than happy to help them.

31
32 Ms. Whitcomb recognized Philippe Sanchez who was present that works on the grant.
33 His particular responsibility is working on cultural competence because different cultures
34 have different perceptions of mental illness and there are language barriers as well.

35
36 Ms. Whitcomb thanked the Commission for the proclamation and their time.

37
38 Mayor Mealor thanked Ms. Whitcomb and Mr. & Mrs. Sanchez for being with us this
39 evening. The Children’s Cabinet of Seminole County does remarkable work.

40
41 B. Proclamation – North American Occupational Safety and Health Week

42
43 The City Attorney read a proclamation proclaiming the week of May 5, 2013, through
44 May 11, 2013, as “NAOSH Week” and May 8, 2013, as “Occupational Safety and
45 Health Professional Day”.

1 Mayor Meador presented the proclamation to Mark Tylec, Senior Safety Professional for
2 Walt Disney Parks and Resorts.

3
4 Mr. Tylec said he was a proud member of the American Society of Safety Engineers
5 and has been so for more than 20 years. We have seen in recent events how important
6 safety can be. It is a happy day when people go home at the end of the day with ten
7 fingers and ten toes. There are some days that doesn't happen. Anything we do to
8 educate people in the field to come home safely is our job. He said it was a proud
9 heritage that he would like to claim. Anything you all can do or any questions you have
10 you are more than welcome. We meet the first Monday of the month at Dubsdread Golf
11 Course for lunch. We would love to have guests come along. We strive each day to
12 make sure people go home to their families. We want to see people be active and
13 productive and not become a drain on their families that so often happens.

14
15 C. Proclamation – Florida Letter Carriers Food Drive Day

16
17 The City Attorney read a proclamation proclaiming May 11, 2013, as “Florida Letter
18 Carriers Food Drive Day”.

19
20 Mayor Meador presented the proclamation to letter carrier Gordon Ford.

21
22 Mr. Gordon said the second Saturday in May is our 21st year doing this food drive. We
23 collected over a billion pounds of food last year. We timed this food drive in May
24 because the kids are getting out of school, the food pantries are running low at this time,
25 and it's all about the kids. He asked everyone to remember to put non-perishable food
26 items at their mailbox and they would pick it up.

27
28 Mayor Meador said we have a special presentation not on the agenda. Rarely do we get
29 an opportunity for this type of recognition. He asked Deputy Mayor Lucarelli to come
30 forward. Many of us do activities that are part of the job but sometimes we go beyond
31 the call of duty, and this is one of those times where we can recognize not just our
32 Deputy Mayor but others for what he considered to be duty far beyond the call. He said
33 Jo Ann Lucarelli is receiving the rarely given Norman R. Wolfinger Leadership Award for
34 her leadership in passing tough anti-stalking legislation that better protects victims
35 before it turns to violence and for her continuing efforts through finding her community
36 group, the Alliance to End Stalking, which provides more resources and advocacy for
37 stalking victims as well as awareness and education in both the community and in our
38 schools.

39
40 On behalf of the State Attorney's Office, Mayor Meador presented a plaque to Deputy
41 Mayor Lucarelli. He said this is the 2013 Victims' Rights Week - Norman R. Wolfinger
42 Leadership Award presented in recognition of her compassion, dedication and
43 outstanding commitment to ensuring that the rights of crime victims are safeguarded by
44 our system of justice in Seminole County. He said as a member of the Florida
45 Legislature for seven years, rarely did he ever see an individual accomplish what
46 Deputy Mayor Lucarelli did in the manner that she did it. She is to be commended and

1 it is now recognized by groups other than her colleagues. He congratulated her for a
2 job well done.

3
4 Deputy Mayor Lucarelli said she was proud to say that at the Victims' Rights luncheon,
5 Lake Mary cleaned house. She said she was proud of the community, the citizens, the
6 compassion, the caring and the people that work at city hall and in all the departments.
7 We have a wonderful family here and was very proud to be part of it. She said we have
8 two police officers who brought home Officer of the Year awards. It is usually given to
9 one but this year it went to two.

10
11 Chief Bracknell said we are truly blessed in Lake Mary and are blessed to have the
12 opportunity to work with some wonderful people at the Police Department. About a
13 month and a half ago he received notice from the State Attorney's Office that they
14 needed nominations for victims' rights awards. He delegated the task to Lieutenant
15 Biles.

16
17 Police Lieutenant Mike Biles came forward. He said part of the nomination form says
18 "to please take this opportunity to nominate someone who is committed to making a
19 difference in the lives of victims of crimes". He said when he read that one particular
20 case came to mind.

21
22 Lieutenant Biles said on November 13, 2012, Detective Jorge Reguero was called upon
23 to respond to a report of sexual battery of an 8-year-old child. As the nature of police
24 work would have it, he was off duty at the time and had to be called away from time with
25 his family. Detective Reguero responded and met with the young victim and her mother
26 and began to get the information necessary to put his case together.

27
28 Lieutenant Biles said as the facts began to surface, Detective Reguero discovered that
29 the suspect was aware of the allegations being made against him. The suspect was a
30 live-in boyfriend to the victim's mother. The suspect became emotionally unstable when
31 he realized that he was facing some serious accusations and he began to relay suicidal
32 text messages to the victim's mother. It was known that he had firearms in his home.
33 Well into the evening hours attempts were made to contact the suspect by phone.
34 Those attempts were unsuccessful and it was determined the next course of action
35 would be to activate the department's SWAT team in order to enter the suspect's home,
36 check on his well-being and subsequently remove him from the house so he could be
37 questioned. Around midnight, ten hours into this incident, the SWAT team made a
38 successful entry into the home and was able to remove the suspect.

39
40 Lieutenant Biles said it is important to recognize that Detective Reguero is a member of
41 the SWAT team so during this incident he was required to temporarily relieve his role as
42 an investigator, join up with the SWAT team, and help with the entry into the house.

43
44 Lieutenant Biles said over the course of the next few days, the investigation became
45 quite complex in nature and here enters Detective Ronald Tomassi. Ron began to
46 assist Detective Reguero with the case. Detective Tomassi helped to arrange a taped

1 phone call between the victim's mother and the suspect which ultimately solidified our
2 probable cause. He also interviewed the suspect and got statements from him that
3 would prove to be key evidence for the state's prosecution. Both detectives put a
4 tremendous amount of effort into this case and their hard work led to a well-deserved
5 18-year prison sentence.

6
7 Lieutenant Biles said had their efforts ended here, we would have called it a great day
8 and they deserve to be recognized at that point but that wasn't the case. This event
9 had a huge impact on this family. Without the financial support from our suspect who
10 was later arrested, mom was unable to keep the home they were in. She could not
11 afford it and now she has to pack up her family and move out. To make matters worse,
12 this was about two weeks before Christmas. The victim had a younger brother who had
13 witnessed some of these heinous acts that occurred with his sister. This ongoing abuse
14 was difficult to say the least for these children to handle emotionally and they were
15 struggling as a family unit. Detectives Tomassi and Reguero became committed to
16 making a difference in this family's situation. With the assistance of Officer Zach
17 Hudson from the Community Policing Division and through various donations, they were
18 able to furnish DisneyWorld passes for mom and the two kids. They also got \$500 in
19 gift cards donated from Target and \$600 worth of groceries which they hand delivered
20 to the family.

21
22 Lieutenant Biles said words can't express how proud he was to be associated with
23 these two guys. He asked everyone to join him in applauding the co-recipients of the
24 2013 Thomas Law Enforcement Award, Jorge Reguero and Ron Tomassi.

25
26 Detective Jorge Reguero said in this case it was quite strenuous, not only because of
27 the severity of the case but with him having kids it was extremely painful to go through.
28 We had to be able to keep our emotions in play while conducting the entire
29 investigation. It was quite stressful. The interview alone lasted a long time at the
30 station and he remembered never feeling as weak when he got done with his interview.
31 He had to come out and talk with Detective Tomassi and Detective James Riddle (who
32 was not present tonight) and told them if there was anything else to jump in because he
33 was drained.

34
35 Detective Reguero said he was proud of what they did and gave thanks for being
36 acknowledged. He felt worse because the kids aren't healing as quickly and was more
37 concerned for their future. Eight years old and five at the time, it was pretty tough for
38 the little boy. It is a rough ride for them their entire lives. He said he felt good he got 18
39 years but in this case wished they had kept him longer.

40
41 Detective Ron Tomassi said being a father, it is difficult to investigate a crime where the
42 victims are children. In most cases if it is an armed robbery or burglary you can get
43 through it as a regular day's work but when it involves the future of America it really hits
44 home. He said he was very proud of Jorge. He kept his composure and it was a very
45 difficult interview to do with this man repeatedly hour after hour. He said he interviewed
46 this man for several hours and it took everything he had within him to be as polite and

1 professional a police officer as he could be so we could win this case. Between the two
2 of them he knew this man wasn't going to see anything but Florida State Prison for a
3 long time.

4
5 Detective Tomassi said he was honored and had no idea this was coming. He said
6 Lieutenant Biles spoke to him several weeks ago about what had happened and
7 realized something was up and then when the award essay was being read to the public
8 the other day he knew Jorge was getting it but when they called his name he was
9 completely honored and flabbergasted. He said thank you.

10
11 VII. Unfinished Business

- 12
13 A. Ordinance No. 1480 – Final Waterside Planned Unit Development (PUD)
14 located at 1255 & 1275 West Lake Mary Boulevard; ZDA, LLC/Allan
15 Goldberg, applicant – Second Reading (Public Hearing) (Gary Schindler, City
16 Planner) (postponed March 21, 2013)

17
18 The City Attorney read Ordinance No. 1480 by title only on second reading.

19
20 Mayor Meador said Items A and B would be discussed simultaneously but voted on
21 separately.

22
23 Mr. Schindler said the PUD has had first reading and is back tonight for second reading.
24 We have held off on the Preliminary Subdivision Plan until the Commission could act on
25 second reading.

26
27 Mr. Schindler said the property is 5.85 acres, will have six lots but only Lot 1 will have
28 access to the lake. The Commission has the staff report for the PUD that was approved
29 on first reading. The only additional information was provided in a memo in the packet.
30 The sewer that the City of Sanford had faithfully submitted was on the south side has
31 been discovered to be only on the north side at the intersection of Lake Mary Boulevard
32 and Sterling Pine. The City of Sanford Utility employees went out with locate equipment
33 and couldn't find it on the south side. The City has committed \$25,000 to the
34 development and Mr. Goldberg has provided documentation that the jack and bore
35 which will now be required under Lake Mary Boulevard will cost approximately \$36,000.

36
37 Mr. Schindler said the Findings of Fact for the PUD and the Findings of Fact for the
38 subdivision are different. For the PUD there are nine Findings of Fact and for the PSP
39 there are four Findings of Fact.

40
41 Mr. Schindler said the Preliminary Subdivision Plan was reviewed by the Planning &
42 Zoning Board at their February 12, 2013, meeting. Their recommendations have been
43 incorporated into the Findings of Fact presented in the staff report.

44
45 Mr. Schindler noted Mr. Allan Goldberg, applicant, was present.

1 Commissioner Duryea said the Findings of Fact led him to believe they had to pick one
2 from column A and one from column B.

3
4 Mr. Schindler said that is the intent because there are a lot of policy decisions.

5
6 Findings of Fact for the PUD:

- 7
8 1. The amount of the City contribution, whether it be \$25,000 or \$50,000, is a policy
9 decision.

10
11 Mr. Schindler said based on previous action, the Commission has committed \$25,000 to
12 the overall development. That stands on its own unless the Commission wishes to alter
13 that.

- 14
15 2. Within the subject property, the developer/HOA shall own and maintain the sewer
16 system within the subject property.

17
18 Mr. Schindler said the applicant would like the City to own and maintain the system. He
19 believed that has been resolved. The HOA will maintain the system within the
20 development.

- 21
22 3. The portion of the sewer system within the Lake Mary Boulevard right-of-way
23 shall be owned and maintained by the developer/HOA or by the City of Lake
24 Mary.

25
26 Mr. Schindler said this is a policy decision the Commission needs to make. Staff feels
27 strongly that it should be the HOA.

- 28
29 4. Other properties shall be allowed to connect to the sewer system.

30
31 Mr. Schindler said staff feels strongly that is a policy decision that should be reiterated
32 by the Commission.

- 33
34 5. Revise the PUD plan and the developer's agreement to incorporate the City
35 Commission's decision regarding Items 1 – 4.

- 36
37 6. The developer shall revise the PUD plan and the last sentence of Section 3(v) of
38 the developer's agreement to indicate that the developer and/or the HOA shall
39 own and maintain Stillwood Lane.

40
41 Mr. Schindler said that was not a question anymore. The developer is agreeable to
42 that.

- 43
44 7. The developer's agreement shall be amended to reflect that the façade of all
45 residential structures facing the lake shall be constructed with front-style design.

1 Mr. Schindler said since the access will now be off of the access easement and not off
2 of Lake Mary Boulevard, he believed that was a moot point.

- 3
4 8. Revise the developer's agreement and the PUD to state that the terminus of
5 Stillwood Lane provide a turnaround for vehicles as part of Lots 1 and 2.

6
7 Mr. Schindler said that is in agreement.

- 8
9 9. Revise the developer's agreement and PUD to show that the Lake Mary access
10 point to Lot 1 shall be designed to prevent vehicles from having to back out onto
11 Lake Mary Boulevard.

12
13 Mr. Schindler said we have talked about eliminating that driveway all together and
14 believed that is no longer in the picture.

15
16 Commissioner Duryea said the biggest decision to be made is who is going to own the
17 line under Lake Mary Boulevard. He asked how we have handled that in the past with
18 other developments.

19
20 Mr. Schindler said the one that comes to mind is the Enclave at Tuscany. They own a
21 private line that connects to the City line and it is within the State Road 46A right-of-
22 way. It is not uncommon for private entities to own lines within public rights-of-way.

23
24 Commissioner Brender said it was mentioned that it was the City's position that the
25 HOA should take care of the line in the right-of-way. He asked if the logic was they are
26 going to dig it so they are going to maintain it.

27
28 Mr. Schindler answered affirmatively. He said Mr. Paster has said that it is our policy
29 that development should own and maintain the lines and is something we have done in
30 the past.

31
32 Commissioner Brender asked if they should remove Items 7 and 9. No. 7 regarding the
33 frontage and the design for Lot 1 has already been changed (No. 9).

34
35 Mr. Schindler asked the applicant if the plans show removal of the driveway on Lot 1.

36
37 Mr. Goldberg said they will.

38
39 Commissioner Brender said if they will then he suggested leaving that in for now, but
40 delete No. 7.

41
42 Ms. Reischmann said the Commission went through all these matters and made
43 decisions on first reading.

44
45 Allan Goldberg, manager for ZDS, LLC, applicant, came forward. The plan changed
46 from the last meeting when the Commission was determining the amount of contribution

1 from the City. It increased to \$36,000 because we now have to do a jack and bore that
2 we didn't think we would have to do last time. He requested the Commission take a
3 look at the original request of \$50,000 versus the \$25,000.

4
5 Mr. Goldberg said regarding maintaining the pipe that will be running under Lake Mary
6 Boulevard, if the City is going to take up the idea that another property might be using
7 that pipe, it shouldn't be the responsibility of this HOA by itself to maintain it. If there's
8 another property that's going to be using that pipe, it should be the City's.

9
10 Mr. Goldberg said everything else we have agreed on.

11
12 Mayor Mealor asked if anyone would like to speak in reference to Ordinance No. 1480.
13 No one came forward and the public hearing was closed.

14
15 Commissioner Duryea said the City Attorney said we had already decided on these. He
16 wanted it brought out what they had decided.

17
18 Mayor Mealor said the only issue on second reading is do we want to modify anything.

19
20 Commissioner Plank said he would prefer the HOA own and maintain the portion under
21 Lake Mary Boulevard with the understanding that should another development come in,
22 part of their ability to connect with that would be they would agree to share the
23 maintenance going forward.

24
25 Commissioner Plank said he was not averse to increasing the amount to \$36,000.

26
27 Mayor Mealor asked if there were any objections.

28
29 Commissioner Duryea said he didn't know if he objected or not. It has always been the
30 history of Lake Mary that when a developer wants to do something, whether he is half a
31 mile or 50 feet from a main road, they provided the infrastructure for that particular
32 subdivision. He said we were discussing last time 50% of the cost up to \$25,000.

33
34 Mayor Mealor said it was a flat \$25,000. The original negotiated amount was "up to"
35 \$50,000. With the new data that we did not have before us at the last meeting related
36 to the City of Sanford, the cost has now increased to \$36,000, and Commissioner Plank
37 is saying that we honor that additional request of \$11,000. He asked if there was any
38 objection to Commissioner Plank's request.

39
40 **There were no objections to increasing the City's contribution for the jack and**
41 **bore under Lake Mary Boulevard to \$36,000.**

42
43 Commissioner Brender said there are seven other lots farther south but are not in the
44 required range to connect to this line.

1 Mr. Schindler said the most likely development to use this is the property adjacent and
2 to the east that we refer to as the power line lots. That is roughly 12 to 13 acres.
3 Because that property is within the Big Lake Mary Overlay, the minimum lot size is one
4 acre so we are looking at potentially 12 to 13 lots.

5
6 Commissioner Brender said if the developer will install the line under the Boulevard, he
7 could see the HOA maintaining that line but only up to the point where this power line
8 development comes in. At that point with 20 or 30 homes on that side of the Boulevard
9 it is fair to say that the City would take over the portion of the sewer line underneath the
10 Boulevard.

11
12 Mayor Mealor said if the area to the east were to be developed, he asked if this
13 agreement could be re-evaluated. He thought they were in consensus that we want the
14 homeowners to maintain it at this time.

15
16 Mr. Schindler said he believed that is a legal question but didn't see where it couldn't
17 come back to the Commission for negotiation and be taken over by the City at that
18 point.

19
20 Ms. Reischmann said it could be re-evaluated. They could place in here that the City
21 will entertain an amendment to this PUD agreement should other users connect to the
22 pipe. She said the reason she was not stating it more starkly is because we don't know
23 exactly how this might pan out and might be one user and it may take time.

24
25 **SIDE 1B**

26
27 Commissioner Lucarelli said if that's going to be a private line and if another user wants
28 to use it later, that would be a negotiation between that user and the HOA. It shouldn't
29 involve the City at all.

30
31 Mayor Mealor said we want to go with the City recommendation based on Mr. Paster's
32 comments and the Enclave at Tuscany as a precedent that this line will be maintained
33 by the homeowners' association.

34
35 **There were no objections to requiring the HOA to maintain the line under Lake**
36 **Mary Boulevard.**

37
38 Commissioner Brender said what we are saying is this unknown future association is
39 going to have to negotiate with Waterside to use their line.

40
41 Mr. Schindler said they have the option of running their own line under Lake Mary
42 Boulevard just like Waterside and connect in.

43
44 Mayor Mealor said we are talking about something that may or may not occur. He didn't
45 think it was relevant to Mr. Goldberg's application. The application before us is for
46 Waterside Planned Unit Development. Commissioner Plank brought up two areas and

1 we have clarification on both. We will commit to \$36,000 and the homeowners'
2 association will maintain this line. Anything related to that down the road will be dealt
3 with at the appropriate time.

4
5 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1480 on**
6 **second reading consistent with the Findings of Fact in the staff report, except**
7 **deleting Finding of Fact No. 7; increasing City's contribution to \$36,000; and**
8 **increasing the size of the sewer line to six inches. Seconded by Commissioner**
9 **Brender and motion carried by roll-call vote: Commissioner Brender, Yes;**
10 **Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli,**
11 **Yes; Mayor Mealor, Yes.**

12
13 B. Request for Preliminary Subdivision Approval for Waterside Planned Unit
14 Development (Public Hearing) (Gary Schindler, City Planner) (postponed
15 March 21, 2013)

16
17 Mr. Schindler said there are four findings of fact that deal with the Preliminary
18 Subdivision, Final Subdivision, and Final Plat as referenced in the staff report.

19
20 Mayor Mealor said we appreciate Mr. Goldberg's patience. This is an area just by its
21 nature that has a long history in this community and the Commission has always been
22 committed to the long-term impacts.

23
24 Commissioner Duryea said anticipating some growth in the future, he asked if a two-
25 inch water line was enough.

26
27 Mr. Schindler said the only purpose of the two-inch water line is water quality just so it
28 provides some circulation; otherwise, the water line along Lake Mary Boulevard is much
29 larger. The two-inch water line keeps the water from being stale by causing some
30 circulation. It's primarily for the taste and to keep it from getting stale.

31
32 Deputy Mayor Lucarelli said regarding the sewer system, it says the lift station is
33 optional with each home having a private grinder pump. Her concern was making sure
34 there was enough head on those pumps and the pumps are sized appropriately so
35 there's no sewage backing up into the force main into these homes. She expressed
36 concern of the City being liable for anything.

37
38 Mr. Schindler said it will be a private system and was sure there were backflow
39 preventers built into the grinder pumps so one would not impact others.

40
41 Mayor Mealor asked if anyone wanted to speak in reference to the preliminary
42 subdivision approval. No one came forward and the public hearing was closed.

43
44 **Motion was made by Deputy Mayor Lucarelli to approve the Preliminary**
45 **Subdivision Plan for Waterside PUD subject to the six conditions outlined in staff**
46 **report, seconded by Commissioner Brender and motion carried by roll-call vote:**

1 **Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli,**
2 **Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**

3
4 Mayor Mealor said we have an incredibly good project and is something that is needed
5 in this community. He thanked Mr. Goldberg for his investment.

6
7 VIII. New Business

8
9 A. Approval of Jobs Growth Incentive (JGI) Program Interlocal Funding
10 Agreement for Digital Risk, LLC (Jackie Sova, City Manager)

11
12 Ms. Sova thanked Tracy Turk with the Metro Orlando Economic Development
13 Commission for working this and bringing it forward. She is here tonight as well as
14 Mark Hinshaw, CFO of Digital Risk.

15
16 Ms. Sova said this item is for 300 new jobs to come before December 31, 2013. These
17 jobs would be at 660 Century Point. The company is investing in the building including
18 \$6,300,000 along with the jobs. The average wage of the jobs is \$44,778 which is
19 115% of the average annual wage. These jobs are eligible for \$1,000 each. We would
20 be sharing with the County so our share would be \$500 each. The 300 jobs would be
21 by the end of this year and up to 300 more by the end of 2017. This is an interlocal
22 agreement where we are going to share with the County directly.

23
24 Commissioner Duryea asked if the County had passed it yet.

25
26 Ms. Sova answered affirmatively on March 26th.

27
28 **Motion was made by Commissioner Duryea to approve the Jobs Growth Incentive**
29 **(JGI) Program Interlocal Funding Agreement for Digital Risk, LLC and authorize**
30 **Mayor to execute, seconded by Deputy Mayor Lucarelli and motion carried by**
31 **roll-call vote: Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes;**
32 **Commissioner Brender, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**

33
34 B. Ordinance No. 1485 – Revisions to Section 154.21 of the Code of Ordinances
35 related to mobile food vendors – First Reading (Public Hearing) (Gary
36 Schindler, City Planner)

37
38 The City Attorney read Ordinance No. 1485 by title only on first reading.

39
40 Mr. Schindler said the items related to revisions to the code are the result of direction
41 that the Commission has provided staff.

42
43 Mr. Schindler said historically the City has taken a narrow perspective on mobile food
44 vendors. We have three situations in which we allow them. One is the traditional ice
45 cream truck where they go down the street with their bell ringing, kids come out, they
46 stop and serve the kids and then they continue. Secondly we have those on City

1 property that are organized events such as the Food Truck Crave and now WineArt
2 Wednesdays. The third situation is special festivals and events that were either City or
3 privately sponsored. There would be food vendors associated with that event and when
4 the event ended they went away.

5
6 Mr. Schindler said two to four times a year we get calls from a food vendor wanting to
7 set up a hot dog stand at the Home Depot. We would say we don't allow it. We have
8 begun to reassess that situation. The reasons for it are that we have a number of
9 employment centers and retail centers where there are no food opportunities or
10 restaurants close by. If the food doesn't come to them they either have to take their
11 lunch or go to the food. Every time someone leaves an employment center, they
12 generally have to go out on the roads and it creates more congestion. It possibly makes
13 sense to bring food to them, especially if people are going to be using SunRail. If they
14 use SunRail, they don't have access to a vehicle and if there is not a food facility close
15 by then they have to bring a sandwich. If we were to allow mobile food vendors then
16 this might encourage use of SunRail.

17
18 Mr. Schindler said staff has proposed regulations to the Code of Ordinances. No
19 property less than five acres could have a food vendor. We felt we wanted to target the
20 larger retail establishments and/or employers. We have patterned this after other
21 jurisdictions and their regulations. Within the County there are a number of places that
22 have varying degrees of they allow it, they don't allow it, they allow it under certain
23 circumstances, etc. This is a policy decision. It is intended to reduce traffic on the
24 streets and be more of a convenience for employees and shoppers.

25
26 Commissioner Plank said as far as the office parks are concerned this is an outstanding
27 idea where there are no facilities. He used Home Depot or Gander Mountain as
28 examples. He asked how those two establishments would be affected by this change.

29
30 Mr. Schindler said Home Depot and Gander Mountain are the only two establishments
31 within the City that are large enough to have it. A food vendor would be able to
32 negotiate with the landowners and if it were agreed upon then they could establish there
33 as long as they didn't take up a parking space that was required to meet the minimum
34 parking for the underlying use. Because there are outparcels, the outparcels do not
35 figure into this. We would not allow a food truck for a property that had a restaurant
36 such as a shopping center that had a restaurant.

37
38 Commissioner Plank said to assume five food trucks are located at Home Depot and
39 they met the requirements of not reducing the number of parking spaces. The
40 outparcels do not count. The outparcels affected, Chick-Fil-A, Dunkin Donuts/Baskin
41 Robbins, Arby's, etc. depend very heavily on the lunch traffic for their business. He
42 asked if we were creating a detrimental effect for those parcels that don't count.

43
44 Mr. Schindler said each one of these three items for code revisions were reviewed by
45 the Planning & Zoning Board at their March 12, 2013, meeting. The food truck
46 proposal was recommended for approval 3 – 1. On the Planning & Zoning Board is the

1 manager of the Tilted Kilt and he was quite insightful. He said he talked to his
2 counterparts and has come to the conclusion that it really would not impact business at
3 all. If anything it would provide more of a draw, and he supported it. He was not the
4 one who voted no.

5
6 Commissioner Plank asked if staff made any inquiry of those directly affected.

7
8 Mr. Schindler answered negatively.

9
10 Commissioner Plank said based on the recommendation of the manager of the Tilted
11 Kilt which is a sit-down restaurant is what we are going on.

12
13 Mr. Schindler said it is not what we are going on. That was just the icing on the cake.

14
15 Commissioner Plank said he wasn't trying to make an issue of it, but we have
16 businesses established in Lake Mary that are part of the City.

17
18 Mr. Schindler said if it is the Commission's decision to not allow them on outparcels, it is
19 a minor revision to the language of what's being proposed. Historically the most
20 requested location has been the Home Depot for basically hot dog vendors.

21
22 Commissioner Plank said those would be under their canopy so we're not talking about
23 the same thing.

24
25 Mr. Schindler said it is still a mobile food vendor whether it be a food truck or a hot dog
26 cart. They would still be under the same regulations.

27
28 Commissioner Plank asked if there were any time limits. He asked if they could park
29 there from 7 in the morning until 6 at night.

30
31 Mr. Schindler said they could. We wanted to set the regulatory table and let the market
32 dictate as to how long they would be there, except that we prohibit overnight parking so
33 each day the vehicle would have to leave and come back the next day.

34
35 Commissioner Duryea said we are trying to put something through the eye of the needle
36 because the only two commercial properties were Home Depot and Gander which are
37 literally surrounded by fast food places. He said he would rather them not be there. If
38 someone is hungry enough they can walk across the parking lot. The other situation is
39 an office building where there are no facilities within 500 feet or something like that. He
40 asked if it was possible to allow it in that situation under the circumstances we are
41 talking about and not in the commercial properties.

42
43 Mr. Schindler answered affirmatively. We could eliminate C-1 and C-2 and it could
44 simply be DC, M-1A, M-2A or PUD. We could eliminate it in PO, C-1 and C-2.

45
46 Commissioner Duryea said it was stated PUD. Suppose someone set up in Manderley.

1
2 Mr. Schindler said the regulations say that in a mixed use PUD, it would be restricted to
3 the non-residential section of the PUD.

4
5 Commissioner Brender asked if the PUD had to have five acres.

6
7 Mr. Schindler said the property on which they locate has to have five acres. He noted
8 that Mr. Noto just reminded him that Gander Mountain is rezoning to PUD. Right now it
9 is C-2.

10
11 Commissioner Brender said he was sure we get phone calls, especially about the office
12 parks. Several of the buildings have vending machines which get old after one day
13 rather than two. He sensed we are going from being pretty restrictive to wide open in
14 one fell swoop and was not feeling comfortable with that. We need to discuss this and
15 get some other feelings.

16
17 Mr. Schindler said that is why we are here tonight. This is a policy and it's legislative.
18 We have brought something forward and we want the Commission to tell us how they
19 want it tailored.

20
21 Mayor Mealor said the only commitment he has heard is from Commissioner Duryea
22 who would just as soon they not be there.

23
24 Mayor Mealor said we are talking policy decision. In the past Altamonte was incredibly
25 adamant, no way no how, but are now permitted. There has been a change in policy in
26 various communities. He thought this was a policy decision based upon what this
27 Commission feels is in the community's best interest. This item is a public hearing so if
28 there are concerns we may hear them. He said he was open to any thoughts the
29 Commission may have.

30
31 Commissioner Plank said he would be in favor of the office park with time limitations so
32 we don't have those trucks sitting there all day because it does have a visual impact to
33 the area. He was not in favor of the commercial establishments such as Home Depot or
34 Gander Mountain for the reasons he stated.

35
36 Commissioner Duryea said Commissioner Plank has preempted his opinion.

37
38 Commissioner Brender said he thought that gets them to a mid-point so they are not
39 going from zero to 100%.

40
41 Mr. Schindler said at this point both Home Depot and Gander Mountain are zoned C-2.
42 We know that Gander Mountain is coming in to rezone to PUD. He said to the best of
43 his knowledge there is no C-1 property in the City that is five acres or larger. The only
44 property he knew of in the City that is five acres or larger and is zoned PO is the
45 property on the south side of 46A which was proposed for an office development. It is

1 the one that the Hills of Lake Mary wraps around. He said he couldn't think of any other
2 five-acre property with PO zoning.

3
4 Deputy Mayor Lucarelli said she agreed with Allan (Plank). She said she didn't mind
5 the small hot dog carts at Home Depot or Gander but was not keen on the big trucks.
6 She expressed concern of how that would affect the restaurants there. If there is no
7 way to tweak that then she would be agreeable to just doing it in the office parks and
8 PUDs because that would be helpful to them.

9
10 Commissioner Duryea asked how many we would allow. They could string from one
11 end of Home Depot to the other.

12
13 Mayor Meador said he thought Commissioner Plank brought up a good point. We heard
14 from one member of the P&Z that's representative of the industry.

15
16 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1485. No
17 one came forward and the public hearing was closed.

18
19 Mayor Meador asked Mr. Schindler to listen to the tape of the meeting and then come
20 back with something that hopefully will be a consensus of what we are saying. He
21 asked him to address the concerns about long-term mobile parking, trucks and those
22 types of things.

23
24 **Motion was made by Commissioner Duryea to deny Ordinance No. 1485 on first**
25 **reading, seconded by Commissioner Plank and motion carried unanimously.**

26
27 C. Ordinance No. 1486 – Revision to Section 154.67 (G)(2) of the Code of
28 Ordinances, parking standards for the West Village of the Downtown Centre
29 Zoning District – First Reading (Public Hearing) (Gary Schindler, City Planner)

30
31 The City Attorney read Ordinance No. 1486 by title only on first reading.

32
33 Mr. Schindler said this item was reviewed on March 12, 2013, by P&Z and they voted
34 unanimously to recommend approval.

35
36 Mr. Schindler said the main wording of this that the Commission needs to consider is
37 "adjacent to the SunRail platform".

38
39 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1486. No
40 one came forward and the public hearing was closed.

41
42 Commissioner Brender asked about the lot on the east side of Palmetto.

43
44 Mr. Schindler said it is not adjacent to the platform. It is adjacent to the property but not
45 the platform.

1 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1486 on**
2 **first reading, seconded by Commissioner Plank and motion carried by roll-call**
3 **vote: Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes; Commissioner**
4 **Duryea, Yes; Commissioner Plank, Yes; Mayor Meador, Yes.**

5
6 D. Ordinance No. 1487 – Revision to Section 154.67 (F)(5) of the Code of
7 Ordinances, City constructed parking spaces in the Downtown Centre Zoning
8 District – First Reading (Public Hearing) (Gary Schindler, City Planner)
9

10 The City Attorney read Ordinance No. 1487 by title only on first reading.

11
12 Mr. Schindler said there were two important aspects to this. Right now the Downtown
13 Centre zoning district requires all development and redevelopment to develop parking
14 spaces in the right-of-way adjacent to their properties. If someone was developing at a
15 location, he could not develop parking spaces in front of someone else's property and
16 have that count towards his minimum number of parking spaces.
17

18 Mr. Schindler said the second thing is in the event the City should develop parking
19 spaces and a development or redevelopment should come in and say I want to develop
20 my property, however, I'm not going to be able to develop how I wish and have
21 adequate parking either on-site and/or in the right-of-way. They may come to the City
22 and say I understand that you have some parking spaces that you have developed and
23 would like to utilize those spaces to meet my minimum parking. The City can say yes at
24 a cost being recommended of \$5,000 per space or as determined by the Commission.
25 Even though those spaces are being utilized to support the development, it's non-
26 exclusive. Anyone can park in those spaces just like anyone can park in spaces on the
27 right-of-way. They get the benefit of it to develop the property but not exclusive use of
28 it. He said this is being done in Winter Garden.
29

30 Commissioner Duryea said he had no problem with the concept. He asked about
31 retroactively. We have had situations where developers have used City parking spaces
32 for their "minimum parking".
33

34 Mr. Schindler said this clarifies the City's intent regarding such spaces. What is in the
35 past is in the past. If the Commission approves this ordinance it would be from that
36 point on.
37

38 Commissioner Brender said none of the parking spaces we built on Seminole Avenue
39 can be used as part of this exchange program.
40

41 Mr. Schindler deferred to the City Attorney. Since it is not adjacent to any specific
42 development, it is likely that they could be.
43

44 Ms. Reischmann said if an owner is going to utilize those and is able to utilize those
45 then they would have to comply. Just because we have already built them doesn't
46 mean we can't collect money,

1
2 Commissioner Duryea asked if they were used in the last revision of the Fourth Street
3 construction project.

4
5 Mr. Schindler said he didn't think they were. The parking along Fourth Street was
6 utilized to support the development along Fourth Street. The parking along Seminole
7 Avenue was the icing on the cake.

8
9 Mr. Omana said the parking that has been laid out along Fourth has already been
10 accounted for with respect to the intensities that have been approved via site plan
11 approval. The only thing that may change that is if the uses or square footage is
12 modified. If Mr. Shaw comes in with a further revision decreasing the square footage of
13 his third building, it could free up something. That in turn could open up the table to
14 negotiate for that future developer in the event that Mr. Shaw doesn't use that parking.

15
16 Commissioner Brender said the key thing he was trying to get to is this affects anything
17 that the City has developed in the way of parking.

18
19 Mr. Omana said that was correct.

20
21 Commissioner Brender said anything we have developed in the past as well as anything
22 we develop in the future in the way of parking is all inclusive even though the past ones
23 may already be insufficient.

24
25 Mr. Omana said that was correct. With all that said, we are working closely with Steve
26 (Noto) and GIS Specialist Keri Morrow to create a GIS layer specifically for parking so
27 we can inventory and keep track of who has access to what parking.

28
29 Commissioner Brender said we are okay with this concept of essentially whoever
30 comes later has to pay but whoever got here before this date doesn't have to.

31
32 Mayor Mealor said they have the option of providing their own parking. If they would
33 like to take advantage of additional spaces then they are buying in and probably saving
34 themselves some money.

35
36 Commissioner Duryea said he watched the development of the Fourth Street Grill with
37 the patio outside and how we would enhance the area with that parking. It seems that
38 we approved that because we were putting that parking in.

39
40 Mr. Omana said when all these buildings came in, they came before the Commission
41 with a site plan that showed that the parking required by code. It met code up to this
42 point. Parking on Seminole was not factored into that. When they came in it met code.
43 We are going to keep a close inventory through our GIS layer.

44
45 Mayor Mealor asked if anyone would like to speak in reference to Ordinance No. 1487.
46 No one came forward and the public hearing was closed.

1
2 **Motion was made by Commissioner Brender to approve Ordinance No. 1487 on**
3 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
4 **vote: Commissioner Brender, Yes; Commissioner Duryea, Yes; Commissioner**
5 **Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor Meador, Yes.**

6
7 E. Request for Final Plat approval for Lake Mary Professional Offices Project,
8 155-185 Middle Street (Public Hearing) (Steve Noto, Planner)

9
10 Mr. Noto said this is a request for a Final Plat for a project that is basically complete. In
11 2010 and 2011, the Lake Mary Professional Offices came before the Commission as a
12 couple of different types of projects. He showed a portion of the subdivision plan on the
13 overhead. He noted the line that runs through the middle of the graphic is the
14 delineation point of how the project would be subdivided.

15
16 Mr. Noto said the top two buildings were approved as their own site plan. The bottom
17 two buildings came in as part of the subdivision plan. The Final Plat is the last step in
18 the entire project. If approved this evening we would have it recorded and it will be
19 done.

20
21 Mr. Noto said the project was illegally subdivided, we put a hold on everything, and we
22 cleaned everything up and got it on the fast track. It was at P&Z last week and is before
23 the Commission this week so we could wrap everything up.

24
25 Mr. Noto said at their April 9, 2013, meeting, P&Z recommended approval 5 – 0 with two
26 conditions that the applicant has already taken care of.

27
28 Mayor Meador asked if anyone wanted to speak in reference to the final plat for the Lake
29 Mary Professional Offices. No one came forward and the public hearing was closed.

30
31 **Motion was made by Deputy Mayor Lucarelli to approve the Final Plat for the Lake**
32 **Mary Professional Offices Project, seconded by Commissioner Plank and motion**
33 **carried by roll-call vote: Commissioner Duryea, Yes; Commissioner Plank, Yes;**
34 **Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes; Mayor Meador, Yes.**

35
36 **SIDE 2A**

37
38 F. Resolution No. 921 – Amending FY 2013 Budget to provide for annual Law
39 Enforcement Trust Fund donations (Steve Bracknell, Police Chief)

40
41 The City Attorney read Resolution No. 921 by title only.

42
43 Chief Bracknell said these are the yearly donations. We are required to give 15% of our
44 forfeiture funds to non-profits in the Seminole County area. Lake Mary High School is
45 not on the list this year. They refused the money. They are not going to do a Project
46 Graduation this year. We have added the Senior Intervention Group.

1
2 Donations are as follows:
3
4 \$1,000 each to Seminole High School, Florida Chapter of the Federal Bureau of
5 Investigation National Academy Associates, Inc., Seniors Intervention Group, The
6 Grove Counseling Center, Inc., Kids House of Seminole, J. Douglas Williams YMCA
7 Family Center, MADD-Central Florida Affiliate, SafeHouse of Seminole, and Central
8 Florida CRIMELINE Program, Inc.

9
10 \$500 each to Boys Town, Girl Scouts of Citrus, Central Florida Council-Boy Scouts of
11 America, Ali's Hope Foundation via the Christian Sharing Center, Inc., Lyman High
12 School ROTC Program, and The Center for Victim Recovery.

13
14 **Motion was made by Commissioner Plank to approve Resolution No. 921,**
15 **seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

16
17 IX. Citizen Participation

18
19 No one came forward at this time and citizen participation was closed.

20
21 X. Reports

22
23 A. City Manager

24
25 1. Agreement to provide Agent of Record Services Relating to Employee Benefits

26
27 Ms. Sova said this is an agreement to provide agent of record services relating to
28 employee benefits. We brought forward RFQ #13-03 and accepted the Gehring Group.
29 We had very successful negotiations with them. We are going to have a 25% cost
30 reduction in our compensation to the insurance commissions. That represents in the
31 ballpark of \$20,000 a year. We feel very strongly that a 25% reduction is excellent. The
32 agreement is for a three-year term with one optional two-year extension. She requested
33 the Commission authorize her to execute the agreement.

34
35 **Motion was made by Commissioner Duryea to authorize City Manager to execute**
36 **agreement with the Gehring Group for Agent of Record Services Related to**
37 **Employee Benefits, seconded by Commissioner Brender and motion carried**
38 **unanimously.**

39
40 2. Waste Management annual price increase

41
42 Ms. Sova said this is a request from Waste Management for a price adjustment. They
43 are allowed that by contract and is a CPI. We had put the agenda packet together but
44 she did not let up and have gotten them to waive this price increase. Since we took a
45 look at bidding the refuse services, there is a lot on our plate. There are about a dozen
46 bids out there we need to do. Some are extremely time sensitive because they are

1 related to the Station House and SunRail developments. It is an extensive list. She
2 asked the Commission's consideration to extend the Waste Management contract
3 through February 28, 2015, so we can give this the attention it deserves, and do all
4 these requests for quotes, proposals, and bids the best job we can do and not push and
5 hurry any of them. We don't have contract problems now, we don't have customer
6 service issues, and didn't think it would be a problem to the City or the citizens to
7 extend.

8
9 Ms. Sova said she had begun the process of looking at the ordinance like she
10 announced she would do. She has also begun the process of finding a consultant. She
11 found a firm that has national presence and some depth so we won't be dealing with
12 just one person in case something should happen and this would extend on. We got a
13 proposal that told us we could get that built into the new contract with whoever was
14 selected and we will propose it that way. She looked hard for someone with
15 independence that wouldn't present us a leaning one way or another. Even though we
16 use a consultant she has to manage that, as well as all these other projects that need
17 bid have to be managed. We have quite a workload. We had talked a little about it but
18 went back and took a look at how big the workload is. She asked the Commission to
19 extend the contract to February 28, 2015.

20
21 Ms. Sova asked George Goletko to talk about the customer service aspect.

22
23 Mayor Mealor said this was an issue brought up at a previous meeting. He didn't think
24 any of them were aware of what was on the City Manager and staff's plate. We believe
25 they are adequately compensated but at the same time there is an issue of fairness.

26
27 George Goletko, independent consultant representing Waste Management, came
28 forward. He introduced the local representative, Allan Morrison, and their statewide
29 Director of Government Affairs, Guy Thompson.

30
31 Mr. Goletko said he would like to talk about the contract. As we go back in history, Lake
32 Mary has been the leader and innovator when it comes to recycling and solid waste.
33 You were the first in the County to convert to carts and the citizens love them. You
34 were the first in the County, and still the only one in the County, that is doing single-
35 stream recycling and are being very successful with that. The importance of single-
36 stream recycling is back in 2008, Senator Constantine set a goal for the state to reduce
37 solid waste by 75%. As we moved forward they have set benchmarks. He said he had
38 seen the statistics for 2010. Brevard County put out a press release and Brevard
39 County recycling efforts hit a milestone a year ahead of target. They are at 45%. There
40 are ten counties that have hit the target in 2010 and Seminole, Orange or Osceola
41 Counties were not part of that target. What is significant about that is Lake Mary was
42 benchmarked three years ago with the successes of their single stream and that's what
43 kept Brevard County moving forward. Now they are No. 2 out of the top ten counties.

44
45 Mr. Goletko said the City of Palm Bay, which has mirrored Lake Mary's recycling
46 program, is averaging 10.5 pounds per household. They are doing the best job in

1 single-stream recycling because of the way their collection process is set up. They
2 have one garbage, one recycling, and one yard waste. That is what Lake Mary has.
3 The other cities over there have garbage two times a week and their volumes in
4 recycling are much lighter. Lake Mary right now is at 14 pounds per household. If the
5 rest of the County and the rest of the cities would have followed your lead they would be
6 in that top ten today. He asked the City to not change its process. The right process is
7 in place.

8
9 Mr. Goletko said when we agreed upon the contract we said a 96-gallon cart or 64-
10 gallon cart for garbage and the same thing for recycling so the citizens had an option.
11 We found out recycling was so popular and you had a certain segment of the population
12 that needed a second container. It wasn't in the contract but with the relationship we
13 had with you and the importance of this contract, we just showed that flexibility and
14 delivered that third cart at no charge. Of all the other contracts he had participated in
15 through the bidding process there are extra charges anywhere from \$3.00 to \$4.00 for
16 that third cart.

17
18 Mr. Goletko said when we looked at recycling and hitting the state goals, No. 1 it is the
19 right thing to do but a company has to have infrastructure in place to make things
20 happen. You have to have a marketing department to find markets for the commodities.
21 If markets aren't there, recycling is not going to happen. You have to have material
22 recovery processing facilities in place. If you don't have that infrastructure in place and
23 haven't made that investment, it's not going to happen.

24
25 Mr. Goletko said in 1989 Senate Bill 1972 is what started recycling and set a goal of
26 30%. At that point Waste Management realized in order for us to stay in the municipal
27 collection business that we had to get into recycling and support our municipalities.
28 That's when we started developing our infrastructure. He was proud to say that today
29 we have four single-stream MRFs in place. We are building a fifth in Brevard County.
30 Right now there are seven single streams. We've got three other competitors that have
31 MRFs but only one competitor that has a MRF is also in the collection business.

32
33 Mr. Goletko said the volumes have been so successful in counties and cities moving in
34 that direction. Our four MRFs are over capacity. From Brevard County we have to ship
35 our materials to North Carolina because recycling is coming on so strong. With our fifth
36 MRF coming on, the third parties we're taking in today we may not be taking in
37 tomorrow so whenever you make that decision on who your hauler is going to be, you
38 really need to keep that in mind. You have to make sure they have that infrastructure in
39 place because you do not want to go backwards. The closer we get to 2020 and the
40 cities that are not on the same path that Lake Mary is on, you are going to see those
41 costs going sky high.

42
43 Mayor Mealar said the request is for an extension with Waste Management waiving the
44 price increase.

45

1 **Motion was made by Deputy Mayor Lucarelli to extend the contract with Waste**
2 **Management to February 28, 2015, with Waste Management waiving price**
3 **increase, and City Manager to execute. Seconded by Commissioner Plank and**
4 **motion carried unanimously.**

5
6 Mr. Goletko said they appreciate the business and the City of Lake Mary. As Chairman
7 of the National Solid Waste Association and had to testify before the House Committee,
8 we benchmarked Lake Mary and the reasons why you were so successful in single-
9 stream recycling. He thought the Mayor remembered those days; he was a legislator
10 back then.

11
12 Mr. Goletko said during the storms our relationship was so strong that it was just a
13 handshake and we had equipment in here.

14
15 3. Surplus one marked police vehicle – No. 2270

16
17 Ms. Sova said this is a request to surplus marked Vehicle No. 2270. This is the one in
18 the crash on I-4. We already have gotten the new one. There was one on the lot and
19 we moved for it because we had already submitted our purchase order for this year's
20 vehicles. They all get made at the same time so you either find one or wait a whole
21 other year.

22
23 **Motion was made by Commissioner Plank to declare Vehicle No. 2270 surplus**
24 **and authorize the City Manager to dispose of, seconded by Commissioner Duryea**
25 **and motion carried unanimously.**

26
27 4. Cancellation and change in meeting dates

28
29 Ms. Sova said we have a conflict with the Fourth of July and would like to cancel that
30 meeting. We typically reschedule the August meetings when Florida League of Cities is
31 in town and they will be this year. She requested to reschedule the August meetings to
32 the second and fourth Thursdays in August which are August 8th and 22nd.

33
34 **Motion was made by Commissioner Brender to cancel the July 4, 2013, meeting**
35 **and reschedule the August meetings to August 8, 2013, and August 22, 2013,**
36 **seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

37
38 Ms. Sova said WineArt Wednesday will feature a Latin theme on May 1st in Central Park
39 from 5:00 P.M. to 9:00 P.M.

40
41 Ms. Sova said the Commission has a memorandum from Mr. Nipe regarding a Little
42 League Tournament that they would like to hold at the Sports Complex. We have a
43 policy that we stop and we have a curfew of 10:00 P.M. A lot of that was related to the
44 lights we used to have when the homes were built in the Summerlin section of
45 Timacuan. Those lights have been replaced and don't broadcast as much as they used

1 to and only one field would be lit. We need to know now because Little League needs
2 to commit to this or not.

3
4 Commissioner Plank said he noticed Mr. Nipe had talked to the HOA president. He
5 asked if the HOA president had any communication with the residents in Summerlin
6 because they are the ones primarily affected.

7
8 Mr. Nipe said he has not had any communication other than what we discussed over
9 the phone. He said Mr. Dougherty asked him to send an e-mail. This was Tuesday
10 when he spoke to Mr. Dougherty. He said he wanted to make sure this was approved
11 before he got back with Mike (Dougherty).

12
13 Ms. Sova said we recently held Relay for Life at Lake Mary Prep. We notified the HOA.
14 We had loud speakers and the lights on. It was an all-night event and we got no
15 negative responses.

16
17 Commissioner Plank said that was a one-time event.

18
19 Ms. Sova answered affirmatively.

20
21 Commissioner Plank asked if this was also a one-time event.

22
23 Mr. Nipe said Lake Mary Little League has only had their championship tournament in
24 Lake Mary one time before. It is once a year but we don't often get selected.

25
26 **There were no objections from the Board to extend the curfew to 12:00 midnight**
27 **at the Lake Mary Sports Complex for the Little League District Tournament of**
28 **Champions during the timeframe of May 29, 2013 through June 8, 2013.**

29
30 Mayor Mealar asked Mr. Nipe to contact the homeowners' association and Little
31 League. Hopefully they will have a successful Tournament of Champions.

32
33 B. Mayor

34
35 Mayor Mealar said the opening ceremonies for Relay for Life was a very moving activity.
36 The one thing that stood out loudly was not only the presence of the men and women of
37 our Public Safety Department but the number of City employees that stepped up to take
38 part and take a leadership role in that activity. He commended and thanked them. It is
39 making a difference in our community.

40
41 C. Commissioners (1)

42
43 Commissioner Brender said CALNO was hosted by the City of Longwood and got an
44 update on their CAP program. It is a program that defines by regulation what
45 developers need to do before bringing items to the city and what they need to do as far
46 as contacting adjacent property owners and working negotiations with those property

1 owners. The point of CALNO is to try to learn from each other and is something he will
2 always enjoy with that organization.

3
4 Commissioner Brender complimented Parks & Rec on WineArt Wednesdays. It is a
5 nice time and is well attended. The same thing with the Farmer's Market.

6
7 Commissioner Brender complimented Deputy Mayor Lucarelli on Family Fun Day.

8
9 Commissioner Duryea said at the beginning of this meeting we recognized some of our
10 police officers and what they do and how they treat the people in the City. We always
11 have people that are going to complain but they are going to complain anyway. This is
12 one of the reasons we fund this particular police department because of the way our
13 employees and police officers interact with our citizens. He asked Chief Bracknell to
14 relay that to his staff.

15
16 Commissioner Plank said Saturday morning at 7:30 A.M. sharp on Fourth Street what
17 we hope will be over 200 runners will leave to wind through the Downtown area. It's a
18 5K and this is the second year we have held it Downtown. Thanks to the police
19 department controlling traffic flow on Country Club we are able to do this. You can sign
20 up that morning. Just be there by 6:30 A.M. We welcome any additional participation.

21
22 Commissioner Plank said the County is having the Seminole County Centennial Festival
23 on Saturday, April 20th from 10:00 A.M. to 5:00 P.M. The Lake Mary Museum will be
24 represented, among others. There will be blues, square dancing, dulcimer playing, and
25 more on the heritage stage. It will be held at the County Museum.

26
27 Deputy Mayor Lucarelli said Family Fun Day was awesome. She gave a big shout out
28 to Allan (Plank) who did an amazing job and stayed all day helping to manage the
29 volunteers and make sure everything was running smoothly as well as to the awesome
30 Parks & Rec Department. Great turnout, great event, wonderful weather.

31
32 Deputy Mayor Lucarelli said Relay for Life went well and there was a good turnout.

33
34 City Attorney

35 1. Extension to contract to purchase property from Harriet Mixon

36
37 Ms. Reischmann asked for approval of the seventh amendment to the Mixon contract to
38 extend the closing to May 28, 2013. There is a \$3,000 reduction in price to recognize
39 that we have had to spend some time to straighten things out. The Federal Court is
40 involved. She said if we could get approval of this we will proceed.

41
42 **Motion was made by Commissioner Brender to amend the Mixon contract to**
43 **extend the closing to May 28, 2013, with a reduction of \$3,000 in the purchase**
44 **price, seconded by Commissioner Plank and motion carried unanimously.**

1 Ms. Reischmann stated she was sure everyone saw about Internet cafes getting
2 banned.

3
4 XI. Adjournment

5
6 There being no further business, the meeting adjourned at 9:15 P.M.
7

8
9
10 _____
11 David J. Meador, Mayor

Mary Campbell, Deputy City Clerk

12
13
14 ATTEST:

15
16
17
18 _____
19 Carol A. Foster, City Clerk