

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held August 4,  
2 2011, 5:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road.

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5 I. Call to Order

6  
7 The Work Session was called to order by Mayor David Mealor at 5:07 P.M.

8  
9 II. Roll Call

10  
11 Mayor David Mealor  
12 Deputy Mayor Gary Brender  
13 Commissioner George Duryea  
14 Seat 3 – Vacant  
15 Commissioner Jo Ann Lucarelli  
16  
17 John Litton, City Manager  
18 Carol Foster, City Clerk  
19 Jackie Sova, Finance Director/  
20 Assistant City Manager  
21 John Omana, Com. Dev. Dir.  
22 Bruce Paster, Public Works Dir.  
23 Bill Carrico, Parks & Rec. Dir.  
24 Craig Haun, Fire Chief  
25 Mary Campbell, Deputy City Clerk

26  
27 III. Business

28  
29 A. Proposed 2011/2012 Budget

30  
31 Mr. Litton said we want to go through as much as we can tonight and if the Commission  
32 so desires we can schedule another meeting. We have to deal with the Broadmoor  
33 issue two weeks from tonight so it would have to be an off night unless the Commission  
34 wants to do it in September. He thought they could get through the majority of it tonight.  
35 It is pretty flat with the exception of the things he mentioned in his budget message.

36  
37 Mr. Litton said one of the things he mentioned was the longevity pay and based upon  
38 the attorney's opinion from Public Risk Management it appears that we can pay it. It is  
39 considered compensation and not a bonus. That is something the employees look  
40 forward to and some count on it.

41  
42 Mr. Litton said it appears we are going to get the money from the County and that will  
43 be a big relief when it comes to some of the things we hadn't anticipated and that is  
44 primarily the radio system for police and fire. He said Chief Haun is working with other  
45 fire chiefs on a grant to get some of that money. We have no idea if we will be  
46 successful but we are going to try.

47  
48 Mr. Litton said one of the other things he wanted to mention was the salary adjustments  
49 and could we do something other than an increase. The idea was a non-reoccurring  
50 payment. His concern about that is we are already starting to compress. We've got two  
51 new police officers and fire is the same way. Right now we are behind about \$1,000 on  
52 the average on police and fire and this will get us about even. He recommended the

1 Commission follow his recommendation for a 1% adjustment in October and 1% on their  
2 merit eligibility date. This will help control the compression issue.

3  
4 Mayor Meador said two years ago this group met at the onset of the fiscal downturn. We  
5 asked our employees to be patient and we would try to find a way under difficult  
6 circumstances. We echoed that same message last year. We have done an  
7 exceptional job in terms of retention and also maintaining the quality level of service. A  
8 morale buster is a compression issue. He said he was on board with that.

9  
10 Mayor Meador said to address the issue of a second meeting, last year we had two  
11 meetings. The second one was short because in many ways you helped craft this on  
12 the front end. Anything the Commission wants to address tonight we will address. If we  
13 don't get through it then we will schedule another meeting.

14  
15 Mr. Litton asked Ms. Sova to go through the revenue projections. The budget is based  
16 on a 3.6355 millage and the rolled back is 3.8625.

17  
18 Ms. Sova said total Revenues this year are projected at the 2004 levels as a result of  
19 devaluations and lack of new construction. We had one house in one year and two in  
20 another but we have some stuff on the horizon that will be helpful. That number is  
21 \$5,989,181.

22  
23 Ms. Sova said Progress Energy franchise fees are projected at \$1,324,000 and  
24 \$585,000 for FP&L. Propane is about \$8,000 for the year. Solid waste is \$390,000 and  
25 thought that would hold because we have construction coming. Utility taxes for  
26 Progress Energy at \$1,320,000 and FP&L \$555,500. We will come in short on  
27 telecommunications as nearly 30% of the homes in Florida have dropped their land  
28 lines. Utility tax for propane is \$43,500 and Business Tax Receipts at \$118,500.

29  
30 Ms. Sova said we are going to reach our estimate of \$300,000 for building permits.  
31 Next year we think we will have the same in commercial construction but we do have  
32 housing units coming so the number we used was \$150,000. We didn't over count on  
33 any of these new developments coming in and building out right away. We thought they  
34 would do a few buildings at a time so we didn't want to over estimate or over plan on  
35 that money. Hopefully for about three years we will have good money in our building  
36 permits category. Of that we break down electrical (\$27,500), plumbing (\$12,500) and  
37 mechanical (\$26,000).

38  
39 Ms. Sova said court fines are low and the hearing officers have gotten easy during  
40 these economic times. The one that has gone up is the violation of local ordinances  
41 because we are having those assessments on the vacant houses. For the Local Option  
42 Gas Tax the state helps us estimate that revenue and will probably come down a bit.  
43 They calculate the state revenue sharing in July and give us that number. An alcoholic  
44 beverage license is if we get new businesses but mostly it just passes one to another.  
45 The half-cent sales tax hasn't come back yet.

1 Ms. Sova said for the Firefighter Supplement we are going to have another firefighter  
2 come on with a degree. County business licenses are stable. Zoning fees and site plan  
3 fees will remain about the same. In Police Services we get money from the County  
4 related to combined work efforts and getting paid back for overtime when you do special  
5 case work. That is a little unpredictable but has been pretty good to us.

6  
7 Ms. Sova said rescue transport spiked up since we changed our collection policy. We  
8 brought in a collection agency and got them moving faster but we had that spike where  
9 we had catch up and thought it would level back out.

10  
11 Mr. Litton asked Chief Haun if the County did anything with the transport fees.

12  
13 Chief Haun answered negatively. After our last meeting when we questioned their  
14 methodology they dropped the whole idea of raising rates.

15  
16 Mr. Litton said we still have that situation with Longwood that still has not been resolved.

17  
18 Ms. Sova said the Events Center is staying strong at \$435,000 next year but we are  
19 97% in June so we are pretty much there. Farmer's Market revenue at \$28,000; Skate  
20 Park at \$12,500; and the Splash Park is a summer activity and we are at 75% of  
21 revenues. We have a heavy few weeks ahead of us before that drops back off. Softball  
22 leagues are stable at \$17,000. She didn't know what they would see different in the  
23 concession fees yet. It dropped way off this current year. We've only collected \$1,500  
24 this year. The Tennis Center revenues are at 69% of the year so we are little behind.

25  
26 Ms. Sova said interest income is just sad. We keep that money short and try to keep it  
27 invested. We have gotten to the point where we've moved money a little heavy into the  
28 checking account so we don't get monthly fees. The checking account can cost us  
29 about \$2,500 a month. Interest revenues are so bad she tries to weigh what is best and  
30 that is reducing the fees.

31  
32 Ms. Sova said streetlighting assessments are about even. Miscellaneous revenues are  
33 at \$92,000. Transfers from Water & Sewer were \$850,000. We do a calculation every  
34 year to look at this number and see what the number could be and it can be higher but  
35 there is no reason to raise the Water & Sewer Fund. That brings us to \$16,778,037 and  
36 takes us back to about 2004.

37  
38 Mr. Litton said in General Fund the expenses are down. We have provided for  
39 transition plus a Finance Director for a three-month period. We have narrowed it down  
40 to four and will start the interview process. We have a lot of things going on in  
41 Downtown and the balls are back in the air.

42  
43 Deputy Mayor Brender questioned why the City Manager was up.

44  
45 Ms. Sova said rather than adjusting two budgets that is a combined effort of her moving  
46 to the City Manager's slot on October 1. The Finance budget has dropped.

1  
2 Mr. Litton said the City Commission and City Clerk are flat. Risk Management supports  
3 the Safety Committee. The Safety Committee does a good job. One of the things they  
4 have been working on is the lift stations and trying to prevent an accident from  
5 happening. Community Development is the same and plans no new employees. He  
6 anticipates them getting busier next year along with the Building Department. In the  
7 Finance Department there is an offset and plan no new employees.

8  
9 Mr. Litton said the Building and Facility Maintenance was one of the better decisions we  
10 made. This program saved a lot of money. Building is going to be stressed and we will  
11 have to add an inspector and probably pay some contract money for the inspections.

12  
13 Mr. Litton said in the Police Department the serious crime is down but have had our  
14 spurts of activity. Tomorrow we have a Police Liability Seminar at the Events Center.  
15 We will probably have to increase the force but not yet. We have looked into grants but  
16 we don't qualify for any of the ones that are out there. Support Services is primarily  
17 dispatch. We have looked into contracting that but it is fully funded this year. It is  
18 personalized service you are paying for.

19  
20 Mayor Meador asked Ms. Sova to provide an update of some municipalities that have  
21 contracted this service in terms of costs and service. He said from what he has read  
22 the level of service did not drop off dramatically.

23  
24 Mr. Litton said in Fire there is no change except we lost a fire inspector. We have  
25 divided that position in half. Half will perform public education on fire prevention and the  
26 other half will help with training on the suppression side. We are in the process of  
27 getting the drivers certified.

28  
29 Mr. Litton said in Public Works there is not a lot going on. Streets & Sidewalks are more  
30 on the capital side. About four years ago we broke away from the County as far as  
31 traffic signal maintenance and we not only saved a lot of money but have had good  
32 service.

33  
34 Mr. Litton said in Parks & Recreation, Bill Carrico will be leaving and is why that is down  
35 a bit. The Events Center keeps on ticking. We will have the RFP for the caterers on the  
36 road this week. The Senior Center continues to thrive. The Tennis Center is down in  
37 revenues but is an amenity that the citizens enjoy and it gets plenty of play.

38  
39 Mr. Litton said in Special Revenues we have the Police Education Fund and includes  
40 the \$2.00 assessment on traffic citations. We use this fund primarily for training. In the  
41 Second Dollar is \$16,800. In Police Impact Fees we estimate expenditures of \$25,000.  
42 We have no expenditures in the Fire Impact Fees. In Public Works Impact Fees we  
43 have \$42,000 for an excavator. The Law Enforcement Trust Fund is where the DARE  
44 Program is funded. In Recreation Impact Fees we are going to purchase scheduling  
45 software. In the Cemetery Fund we have done a lot of stuff we said we were going to

1 do. We have sold three plots. We are still working on finishing the improvements. We  
2 have had some challenges.

3  
4 Mr. Litton said in Debt Service we paid off an issue in the amount of \$1.3 million and  
5 have \$4.4 million left.

6  
7 Mr. Litton said in the General Fund Capital Projects we have some carry forward. We  
8 didn't do all the stuff we wanted to do in Downtown. We have done some land  
9 acquisition. He said he would like to work with the County on acquiring part of Country  
10 Club Road from Lake Mary Boulevard to Grace United Methodist Church.

11  
12 **SIDE 1B**

13  
14 Mayor Mealor was in favor of doing that. There were no objections from the Board.

15  
16 Mr. Paster said if the City were to acquire Country Club Road from Lake Mary  
17 Boulevard to Rantoul Lane, we should ensure that the County would still be responsible  
18 for maintaining the large concrete box culvert under the road between East and West  
19 Crystal Lakes.

20  
21 Mr. Litton said in Police we have budgeted for laptops and mobiles. We will be able to  
22 flash with the County system. In Public Works the new money is for street resurfacing  
23 in the amount of \$300,000.

24  
25 Mr. Litton said in the Water & Sewer Fund, we estimate water sales at \$2,175,000 and  
26 total revenues at \$4,188,125. Both will go up because of new growth. Operating  
27 expenses are estimated at \$5,480,000.

28  
29 Mr. Litton said the Water Plant is down and we have the same operators. Sanitary  
30 Sewer/Wastewater Collection is down \$10,000. We have one on-call guy in Public  
31 Works that responds any time we have a situation and he makes the decision as to  
32 whether additional people are needed. The water part of the Water & Sewer Fund pays  
33 for the audit in the amount of \$14,000. The new \$309,000 of new money for Capital  
34 Projects includes rehab of Well No. 2, \$150,000; commercial meter testing and repair,  
35 \$50,000; ground penetrating radar, \$29,000; lift station flow meters, \$20,000; and  
36 SCADA replacement, \$20,000. We put in \$10,000 for lift station safety.

37  
38 Mr. Litton said in the Stormwater Fund we will not have to consider a rate increase and  
39 thought it would be good for four years. We are getting more regulations put on our  
40 stormwater system as far as monitoring and testing.

41  
42 Mr. Litton said the Internal Services Fund is the fleet maintenance. We charge each  
43 program rent on the vehicles and the income from that is \$58,672. Vehicle  
44 maintenance fees are \$278,520 and the total revenue is over a million dollars.  
45 Estimated replacement costs are \$585,300. The big one this year is the rescue unit.

1 Mr. Litton said what he thinks is important is the five-year projections. We will have to  
2 add personnel starting in 2013 with an officer a year.

3  
4 Ms. Sova said on Page 179 it shows what would need to happen to the millage rate and  
5 what would need to happen to ad valorem taxes to make the budget balance. In 2013  
6 that jump is mostly related to the radio replacement program. Capital jumps from  
7 nothing this year (2012) to \$1,075,000 for 2013 and then levels out to more ordinary  
8 numbers after that. That's how we calculated that number and what millage rate and  
9 what property taxes would it take to make the budget balance.

10  
11 Mr. Litton said one thing we are not sure of right now is the future of the police vehicles  
12 as to what is going to come as the predominant car that is used. There are mixed  
13 reviews. Some of these foreign cars are getting very competitive.

14  
15 Commissioner Duryea said there were some contingencies they are going to have to  
16 budget for. He didn't know the potential costs.

17  
18 Mayor Meador said that is an important variable, particularly if we start some of the  
19 infrastructure. He said John Mica's office contacted him last week relating to ACi and  
20 they would very much like to consider some legislation, possibly a local bill that gives us  
21 the wherewithal for a transit oriented development district and treat it much like a CRA  
22 where we work with the County. The Seminole County Legislative Delegation is  
23 scheduled around September 16<sup>th</sup>. He asked Dick Harkey to get us more information  
24 on that. It will give us the very thing we talked about. It will give us the flexibility without  
25 being dependent on voter approval on a particular referendum. Lake Mary is ahead of  
26 the others with some of the planning and activities. He asked them to please put that  
27 on the front burner because we stand ready to step up. He thought there couldn't be a  
28 better timing for us to prevail in Tallahassee in this next session upcoming or the one  
29 after that. He said if he heard anything else he would ask that it be passed along.

30  
31 Deputy Mayor Brender said it is going to be important in 2013 or 2014 if we are going to  
32 run a trolley. He thought Lynx was counting on local service because they will have a  
33 bus once an hour. Nobody will be on the bus and nobody will be on the train. It is  
34 important for us to put in some money for some kind of trolley service.

35  
36 Mr. Omana said on the Lynx front, we have rescheduled a meeting to see how to  
37 maximize going down Rinehart Road or over to the Class A office areas. We will be  
38 diligent in that regard. As far as potential revenue generators as it relates to the TOD,  
39 he got direction prepare the TDR program specifically for the Downtown TOD area. In  
40 his experience in South Florida using a different kind of TDR program, the potential for  
41 revenues created from those programs is high. We will bring the ordinance to the  
42 Commission in a couple of months.

43  
44 Commissioner Duryea said we may be able to get grants for alternative fuels.  
45

1 Mr. Litton said it is okay as long as everything is functioning but if you have a bus go  
2 down there are people depending on it and you have to have a backup.  
3  
4 Deputy Mayor Brender said he expected AAA, Fiserv and other large companies would  
5 be all over this because it is their employees they are trying to help.  
6  
7 Mayor Mealor asked if there was anything with specificity to this budget the Commission  
8 would like to put on the table now. There was none. Mayor Mealor said we are in  
9 agreement that we may not need another meeting at this time; however, we will reserve  
10 the right to call one if we feel that is necessary.  
11  
12 There being no further business, the work session adjourned at 6:32 P.M.  
13

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held August 4, 2011,  
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road.

3  
4 I. Call to Order

5  
6 The meeting was called to order by Mayor David Mealor at 7:12 P.M.

7  
8 II. Moment of Silence

9  
10 III. Pledge of Allegiance

11  
12 IV. Roll Call

13	
14 Mayor David Mealor	John Litton, City Manager
15 Deputy Mayor Gary Brender	Carol Foster, City Clerk
16 Commissioner George Duryea	Jackie Sova, Finance Director/ Assistant City Manager
17 Seat 3 – Vacant	John Omana, Com. Dev. Dir.
18 Commissioner Jo Ann Lucarelli	Gary Schindler, City Planner
19	Steve Noto, Planner
20	Bruce Paster, Public Works Dir.
21	Colin Morgan, Deputy Police Chief
22	Craig Haun, Fire Chief
23	Katie Reischmann, City Attorney
24	Mary Campbell, Deputy City Clerk
25	
26	

27 V. Approval of Minutes: July 21, 2011

28  
29 **Motion was made by Deputy Mayor Brender to approve the minutes of the July**  
30 **21, 2011, meeting, seconded by Commissioner Lucarelli and motion carried**  
31 **unanimously.**

32  
33 VI. Special Presentations

- 34  
35 A. Presentation of leather helmets in recognition of 10 years of service:
- 36 1. Firefighter/Paramedic Steve O'Brien
  - 37 2. Lt./Paramedic Kevin LaForest
  - 38 3. Firefighter/Paramedic Brandon Lindemann

39  
40 Mayor Mealor said on July 5<sup>th</sup>, Firefighter/Paramedic Steve O'Brien celebrated his tenth  
41 anniversary with the City of Lake Mary Fire Department. He asked  
42 Firefighter/Paramedic O'Brien to come forward.

43  
44 Mayor Mealor said we believe the hallmark of our community is public safety. Each  
45 member of our public service team has unique stories to tell. It is far more than the jobs  
46 that they hold in terms of the service that they render to our community.

1  
2 Mayor Meador said Steve began his career with Lake Mary as a firefighter and  
3 completed paramedic school in 2005. He has been in charge of a number of programs  
4 over the years including graphic design for staff vehicles, uniforms, and station supplies.  
5 He has attended a number of classes including engine operations, firefighter survival,  
6 and high rise operations. Steve is a department preceptor for the Seminole State  
7 College paramedic students and serves as one of their mentors. In 2009 Steve was  
8 appointed as the ride up for filling in vacant positions when lieutenants are not available.

9  
10 Mayor Meador said on behalf of the Lake Mary City Commission it was his honor to  
11 present to Firefighter/Paramedic O'Brien a leather helmet in recognition of ten years of  
12 service.

13  
14 Mayor Meador said on July 5<sup>th</sup> Lt./Paramedic Kevin LaForest celebrated his tenth year.  
15 He asked Lt./Paramedic LaForest to come forward.

16  
17 Mayor Meador said Kevin began his career with Lake Mary as a firefighter/paramedic.  
18 Kevin came to us as an eight-year experienced paramedic during the expansion time of  
19 our advanced life support system. He is a veteran of the United States Army. Kevin  
20 was in charge of our uniform and protective clothing program for a number of years.  
21 Kevin holds an AA and AS degree in Emergency Medical Services. Kevin was awarded  
22 the Lion's Club Firefighter of the Year in 2007. He was appointed as a lieutenant in  
23 2008.

24  
25 Mayor Meador said on behalf of the Lake Mary City Commission and the community it  
26 was his honor to present to Lt./Paramedic LaForest a leather helmet in recognition of a  
27 job well done.

28  
29 Mayor Meador said on July 5<sup>th</sup> Firefighter/Paramedic Brandon Lindemann celebrated his  
30 tenth anniversary with the City of Lake Mary Fire Department. He asked  
31 Firefighter/Paramedic Lindemann to come forward.

32  
33 Mayor Meador said Brandon began his career with Lake Mary as firefighter and  
34 completed paramedic school in 2003. Brandon received the Heart Saver award in 2005  
35 when he successfully resuscitated a cardiac arrest patient. He received the City  
36 Manager's award in 2008. Brandon is a BMR Tech for our department and is a  
37 department preceptor for Seminole State College paramedic students. He is an  
38 instructor for our department and also instructs at the Seminole County Fire Training  
39 Facility for CPR, PHTLS, and ACLS. In 2009, Brandon was appointed as a ride up for  
40 filling in for vacant lieutenant positions.

41  
42 Mayor Meador said on behalf of the Lake Mary City Commission it was his honor to  
43 present to Firefighter/Paramedic Lindemann a leather helmet for a job well done.

44  
45 Mayor Meador said the three honorees have their families with them and there were a  
46 number of children. He thanked the families very much for sharing their fathers and

1 husbands with us. It is a sacrifice that many will never experience and thankfully you  
2 are willing to do it for us. We appreciate your service.

3  
4 Mayor Mealor thanked Deputy Mayor Brender and the Commission for their patience as  
5 he was not able to join them during the month of July. He appreciated the work that  
6 they did and for keeping him informed.

7  
8 VII. Unfinished Business

9  
10 There was no unfinished business at this time.

11  
12 VIII. New Business

13  
14 A. Request for approval of Preliminary PUD – Gander Mountain, 3750 Flagg  
15 Lane, Brooks & Amaden, Inc./Nicholas Messina, applications (Public Hearing)  
16 (quasi-judicial) (postponed 7/21/11)

17  
18 Mr. Omana said before the Commission is a Preliminary PUD. It presents what we  
19 believe is a unique opportunity to enhance a strategically located property within the city  
20 limits of Lake Mary. The PUD process is multi-layered and this is the first part of the  
21 process. He said to think of it as baking a cake and what will be presented tonight is the  
22 ingredients that go into this cake. It does not vest anything and more detail will have to  
23 be ironed out and will be in the Final PUD Agreement, developer's agreement, and the  
24 Final PUD that will have to come before the Commission at a public hearing. He asked  
25 the Commission to think of this as a preliminary snapshot of what this project could look  
26 like. We are in the process of formulating the recipe. This is an opportunity for the  
27 Commission to review this project, provide guidance and input and take advantage of  
28 an opportunity that we believe can be a win-win situation.

29  
30 Mr. Noto said we have a great opportunity to have something unique come into the City.  
31 The applicant is Gander Mountain and is a tenant and not the property owners. LMBT  
32 Group out of Pennsylvania are the property owners.

33  
34 Mr. Noto said Gander Mountain has invested much money into their store creating their  
35 flagship location with a lot of upgrades to the interior, the gun range, virtual reality, etc.  
36 This is going to be an overhaul of the outside portion of that site. Not only are we going  
37 to be looking at resurfaced parking, restriped parking spaces, and landscaping but are  
38 going to be looking at a memorial for first responders and war veterans.

39  
40 Mr. Noto put some conceptual drawings on the overhead projector. None of these are  
41 the final drawings but have been given to us as their conceptual idea. You can see new  
42 signage, additional signage, a brick wall feature, plaques and statues.

43  
44 Mr. Noto said on Page 2 of the staff report the PUD is broken down into two phases and  
45 is how it was presented to the Planning & Zoning Board. The Preliminary PUD and  
46 PUD process is continually evolving. Today we took our snapshot that was in standard

1 definition and we went high definition wide angle and got more information from the  
2 applicant. Phase 1 was the new entry drive, Flagg Lane reconfiguration, the Welcome  
3 to Lake Mary sign, restriping, etc. Phase 2 was generally everything else including  
4 entitlements for a new building at the northwest portion of the property.

5  
6 Mr. Noto said today we received a draft of the developer's agreement that will be part of  
7 the Final PUD process in which the applicant has outlined all of the items that they look  
8 to do not only in Phase 1 but we have a new Phase 1A, Phase 1B, Phase 1C and  
9 Phase 2.

10  
11 Mr. Noto put up an exhibit that was received today and is not in the packets. He pointed  
12 out the Gander Mountain building, the intersection of South Flagg Lane and Lake Emma  
13 Road, and to the north is Lake Mary Boulevard and North Flagg Lane. What they put  
14 on the proposal is a renaming of North Flagg Lane to Gander Mountain Way. That is a  
15 conceptual item and if they wish to bring that forward through Final PUD we will  
16 coordinate with Seminole County Addressing to have the appropriate name changes  
17 done.

18  
19 Mr. Noto said Flagg Lane runs north/south and right into South Flagg Lane. There is a  
20 portion that is unimproved right-of-way. The applicant is proposing on their private  
21 property to reconfigure that roadway and put it into the main parking lot in front of the  
22 Gander Mountain store. He pointed out the area where the improvements for a war  
23 memorial, veterans' memorial, and first responder memorial will go. It will have new  
24 landscaping, palm trees, stonewall accents, etc. That will be the new focal point for  
25 entering this site from Lake Mary Boulevard and that includes the proposed signage at  
26 the intersection with a Welcome to Lake Mary sign.

27  
28 Mr. Noto said 1A will consist of construction of the new entry drive, adjustment of the  
29 stormwater pond, construction of new signage at the north intersection, construction of  
30 the memorial for veterans and first responders, installation of landscaping in the parking  
31 islands and the portion of the parking area included within Phase 1A. He showed  
32 pictures of the site on the overhead projector that generally encompass the Phase 1A  
33 parking area. They are going to add new landscaping, ground covers, and hedges in  
34 the parking island. Any broken curbing they are going to address. They are restriping  
35 and resurfacing the parking field and it will look just like new. They are going to add a  
36 five-foot wide striped access route from the existing Gander Mountain Building to the  
37 war memorial giving ADA access as well as new wall signage on the Gander Mountain  
38 building.

39  
40 Mr. Noto said Phase 1B is in front of the Gander Mountain building and will be  
41 addressing the parking, landscape islands and things of that nature.

42  
43 Mr. Noto said Phase 1C will consist of the South Flagg Lane area. The draft plan  
44 outlines new landscaping, removal of the monument sign that exists just to the south of  
45 the car wash and the potential construction for a new pylon sign.

1 Mr. Noto said Phase 2 will occur at the northwest corner of the site. The applicant came  
2 forward and said the property owner wants to explore the potential for an out building at  
3 the northwest corner of the site. He pointed out the general area on the exhibit. The  
4 applicant asked the best way to get the entitlements. We said to think of the most  
5 intense use and just go with it which would be a restaurant. In the draft PUD plan they  
6 will conceptually put together entitlements for a restaurant and that will eventually go  
7 through the site plan process. The Commission will see this as the concept and we will  
8 come back with the Final PUD for the entitlements. When the property owner has a  
9 tenant they will come back for site plan and whatever other improvements that need to  
10 happen such as a traffic study depending on impacts.

11  
12 Mr. Noto said in the draft PUD plan they will outline a list of permitted and unpermitted  
13 uses and is something we will look at as staff.

14  
15 Mr. Noto said this PUD plan is ever evolving but the main reason for the PUD is for that  
16 memorial. All of the other things that are happening are additions and amenities that we  
17 will get from the proposal.

18  
19 Mr. Noto said this item went to the Planning & Zoning Board at their regular July 26,  
20 2011, meeting, and they voted 4 – 1 to recommend approval of the proposed  
21 Preliminary PUD with staff's condition which was the indemnification. The reason we  
22 asked for that is because the North Flagg Lane portion that is outside their property is  
23 City right-of-way. In order for the sign configuration to work, we had to bring the right-  
24 of-way into the project and the City is a part of the application. We wanted to make sure  
25 the City was released from any liability if somebody got hurt. That will be in the draft  
26 PUD.

27  
28 Mr. Noto said the Planning & Zoning Board added two conditions, one of which has  
29 already been addressed and that is their Condition No. 1 (which is No. 2 on Page 4 of  
30 the staff report) regarding the irrigation and landscaping for Phases 1 and 2. That was  
31 already being planned prior to P&Z so the wheel is in motion for that item.

32  
33 Mr. Noto said Condition No. 3 is that the Planning & Zoning Board recommended that  
34 the City work with the applicant toward an attempt to incorporate the balance of Flagg  
35 Lane into Phase 2, the balance of Flagg Lane being what we are calling South Flagg  
36 Lane at the intersection of Flagg and Lake Emma Road. The applicant is already  
37 working towards addressing the conditions by the Planning & Zoning Board.

38  
39 Mr. Noto said the applicant and his legal counsel are present. There are also other  
40 members from the Gander Mountain Company that are here.

41  
42 Mr. Noto said staff finds that the request for the Preliminary PUD plan is consistent with  
43 the relevant criteria of the City's Preliminary PUD regulations, Code of Ordinances, and  
44 Comprehensive Plan and we recommend approval with our one condition. We are  
45 already working towards the two conditions that P&Z brought up.

46

1 Commissioner Lucarelli asked Mr. Noto to point out the section of Flagg Lane that the  
2 City owns.

3  
4 Mr. Noto pointed out the area. The Flagg Lane right-of-way extends from the  
5 intersection of Lake Mary Boulevard and Flagg and runs south. We have improved  
6 right-of-way generally terminating around the Kentucky Fried Chicken then we have the  
7 unimproved right-of-way and then the general intersection.

8  
9 Commissioner Lucarelli said generally she was agreeable to the request but had  
10 serious concerns with the sign. She had concerns with sight distance. They are a great  
11 company and business to have here and appreciate everything they are doing but didn't  
12 want to make it look like we are setting a precedent and giving them a special exception  
13 over anyone else in Lake Mary because they would not be right.

14  
15 Commissioner Duryea asked if all three of these phases are being requested at the  
16 same time.

17  
18 Mr. Noto answered negatively. Phase 1A will commence within 30 days following the  
19 City's approval of a development plan for the Phase 1A improvements. That would be  
20 30 days from approval of the Final PUD/Final Engineering.

21  
22 Mr. Noto said the construction/installation of Phase 1B will commence on or before  
23 March 1, 2012. Phase 1B is the portion of the PUD in front of the Gander Mountain  
24 store—the parking lot restriping and landscape improvements.

25  
26 Commissioner Duryea asked if 1A has to do with the road itself or the road and the sign.

27  
28 Mr. Noto said Phase 1A would be the road, any stormwater work that is situated with  
29 the two ponds, the resurfacing, restriping and landscape improvements to this parking  
30 field, the road and the sign, the memorials with flagpoles, etc. Phase 2 is the  
31 conceptual building (at northwest corner of the site) and any reconfiguration with the  
32 parking lot and there is a potential need for parking behind the Gander Mountain  
33 building.

34  
35 Commissioner Duryea said we are only being asked to approve Phases 1A and 1B.

36  
37 Mr. Noto said today you are approving the concept with the concept being the broad  
38 picture of site improvements and the memorial. When we come back for Final PUD you  
39 will be approving the document that allows them to break it up into phases: 1A, 1B, 1C  
40 and Phase 2.

41  
42 Deputy Mayor Brender said he shared Commissioner Lucarelli's concerns regarding the  
43 signage. We are in receipt of a letter from Mr. Hawkins of P&Z. We have strictly  
44 enforced our sign code much to the chagrin of a whole lot of businesses over the last 15  
45 or 20 years. There are not major changes as far as the sign. They add a brick base  
46 and it meets code so that's not a big deal. The only thing we will have to look at is the

1 right-of-way and the location. If we are going to make some kind of exception with that  
2 right-of-way then we have got to be able to prevent any kind of precedent. As far as the  
3 conceptual plan and what Gander Mountain is planning to do, he had no problem with  
4 the concept.

5  
6 Deputy Mayor Brender announced he had met with the applicant and his decision would  
7 be based on the meeting here.

8  
9 Mayor Mealar said four of our P&Z members felt comfortable with the direction we are  
10 going and believed with counsel's direction and staff input we can treat that area where  
11 the sign is to be located much as we did with Seminole State College and their sign at  
12 Weldon and 17-92. We have a precedent there to be creative.

13  
14 Mayor Mealar said he goes to Gander Mountain quite a bit and enjoys the experience.  
15 This past week he had his wife pull in on Flagg and turn in right behind the gas station  
16 where you see the panorama, and her words were "this is an embarrassment to the City  
17 of Lake Mary". One of the things we have to be cognizant is at the time we approved  
18 Flagg Lane, we violated our own Gateway Overlay Standards under the auspices of  
19 trying to be helpful. We were told that we will deal with that at the appropriate time.  
20 Nearly 20 years later this is the appropriate time. We have an opportunity to create  
21 something that is an improvement. We have an opportunity to take advantage of  
22 somebody who is willing to invest in our community and take the initiative to do  
23 something that the City may have been responsible for some time in the past yet chose  
24 to do nothing. He said he was reminded on the sign that less than two blocks to the  
25 east are major violations of our own sign code and has nothing to do with the City of  
26 Lake Mary. Much as we did with Seminole State and their gateway feature we have an  
27 opportunity to do with this.

28  
29 Mayor Mealar announced that he met with the applicant's representatives and has  
30 walked the site.

31  
32 Mayor Mealar said where the proposed out building is it is rare that you don't see semis  
33 or something parked out there and using it as a weigh station. What an inappropriate  
34 use of an area. He thought it would be an improvement. He admired Dr. Hawkins and  
35 the dedicated service that he has provided to the City but he was in agreement with the  
36 other P&Z members and will use Dr. Hawkins' own term and will "agree to disagree"  
37 with him on this one matter. He thought it was in the City's best long term interest and  
38 was very encouraged with counsel's creative way of working with staff.

39  
40 Miranda Fitzgerald of Lowndes, Drosdick, Doster, Kantor & Reed law firm, 215 North  
41 Eola Drive, came forward representing Gander Mountain Company and also the  
42 property owner, LMBT Associates, LLC. She noted Nick Messina was present who  
43 could give details of the plan.

44  
45 Ms. Fitzgerald said she had been representing the owner of this property for a number  
46 of years and several years ago we started down the path of doing a PUD on this site.

1 We didn't follow through because the market cratered. When Builder's Square went  
2 dark, LMBT had an opportunity to lease the site to Gander that was fabulous for the City  
3 and for them. Gander was the one that came to the City and LMBT with the concept of  
4 let's do something better in this area. It is a focal point for the City and how can we  
5 make it better and do something for the community in the form of a veteran and first  
6 responder memorial.  
7

8 Ms. Fitzgerald said even though the application has been filed in Gander's name, when  
9 we get to the Final PUD and the agreement it is going to be binding on both LMBT and  
10 Gander. There is an existing lease between the two parties. The financial obligations in  
11 the different phases, who goes forward, who does what and her sense is Gander is  
12 going to be taking the lead and moving forward with the parking lot improvements, the  
13 memorial, and the extension of Flagg Lane. The City is going to want some assurance  
14 that those commitments run with the land. With the money they have invested, Gander  
15 is looking at this as a long-term venture with the City. The development  
16 agreement/PUD agreement will be signed by both parties and will run with the land. We  
17 have indemnification provisions in there to deal with the right-of-way. She thought she  
18 and Katie (Reischmann) should get together and figure out a way to make this work.  
19 She said she didn't know the details of what the City did with the Seminole State  
20 College entry but sounds like something that may work. There is a possibility that we  
21 could vacate a portion of that Flagg Lane right-of-way and give back an easement to the  
22 City for the public. You can't vacate it and cut off access rights for the Kentucky Fried  
23 Chicken and anybody accessing that road now. She thought there were some creative  
24 ways to deal with it. We would hate to see that as a stumbling block because we see it  
25 as being very important to the City and is certainly important to Gander Mountain. They  
26 are doing this because they think it's a terrific civic opportunity and is something they  
27 want to do. That is our view of the sign in that location.  
28

29 Ms. Fitzgerald said Dr. Hawkins' letter talked about potential other alternatives for  
30 location of the sign and he mentioned the Mobil station at that corner. That is not part of  
31 this plat and is not part of this ownership. It is a completely freestanding site and we  
32 have no ownership interest in that and no capability of going to that owner and saying  
33 give us a site for a sign. DOT is very picky about their rights-of-way around I-4 and  
34 wasn't sure that was an alternative either. She thought she and the City Attorney could  
35 work together and come up with something that the Commission would be happy with  
36 and would work there. She said she would like to look at what the City did for Seminole  
37 State College.  
38

39 Ms. Fitzgerald said as we move through the phases of this project, the parking lot will be  
40 improved and will look much better than it does. Several years ago when they were  
41 thinking about moving forward with a PUD she remembered driving into the parking lot  
42 and meeting the client there and noticing the semi-trailer tractor trucks. Tonight when  
43 she was there she was pleasantly surprised at the number of oak trees that are in those  
44 medians and they provide a lot of shade. It just needs to be dressed up a bit and that  
45 will happen. We want to get that memorial open by Veterans Day. Staff made the  
46 suggestion to phase the improvements in the parking lot because it is a lot to tackle

1 between now and November if we are going to get the memorial open in time for a  
2 celebration on Veterans Day. The creative impetus behind the phasing was to do a  
3 small portion of the parking lot in a short period of time and then commence the balance  
4 of the parking field in March. When that Phase 2 building comes in, there will have to  
5 be some retrofit and redo of the parking to accommodate a different use. That will be  
6 the responsibility of LMBT as they move forward.

7  
8 Deputy Mayor Brender said he had no objection to the location of the sign if we don't set  
9 a precedent. As far as the look of the sign the only requirement we have is a brick  
10 base. If they can find a way to add bricks to the bottom of the sign and it meets code  
11 then everybody is happy with the look of the sign. We need to see what Ms. Fitzgerald  
12 and the City Attorney come back with as far as how we can do it without opening up the  
13 possibility of someone down the street saying you let them do it.

14  
15 Commissioner Lucarelli said she agreed with Deputy Mayor Brender. She also had  
16 sight distance concerns because that is already a hairy turn as it is. She didn't want  
17 someone getting into a major accident and holding the City liable.

18  
19 Ms. Fitzgerald said one of the reasons we didn't initially propose a brick base is  
20 because it is more structure and potentially more damaging if you hit it. We will work  
21 closely with staff.

22  
23 Deputy Mayor Brender said when you exit I-4 and make that turn not utilizing the light  
24 but use the yield, there is a lot of jockeying for position as you try to move from the turn  
25 lane for Lake Emma Road and the straight lanes to continue east on Lake Mary  
26 Boulevard. He questioned if there was room for a decel lane and if not at least try to  
27 make that turn as wide a radius as we can possibly make it so that cars jockeying for  
28 position don't impact somebody in the rear trying to make the right turn into Gander  
29 Mountain. He asked staff to look at the traffic because it does get a little hairy with all  
30 the land switching there.

31  
32 Ms. Fitzgerald said she had mentioned the Mobil station that is there. All of that frontage  
33 along Lake Mary Boulevard is not in LMBT's ownership so Bob Evans, Wendy's, and  
34 the Mobile station are stand alone parcels.

35  
36 Deputy Mayor Brender said if we fill the right-of-way with as wide a radius as we can get  
37 then that will have to do unless something else happens.

38  
39 Ms. Fitzgerald said "understood". She stated she appreciated the Commission's  
40 support and they would be back when they had more detail.

41  
42 Mayor Mealor asked if anyone wanted to speak in reference to this request. No one  
43 came forward and the public hearing was closed.

44  
45 Ms. Reischmann asked if there were any other ex parte disclosures.  
46

1 Commissioner Duryea announced he had talked with the construction people and would  
2 make his decision on the information presented here tonight.

3  
4 **Motion was made by Deputy Mayor Brender to approve the request for the**  
5 **Preliminary Planned Unit Development for Gander Mountain.**

6  
7 **SIDE 2A**

8  
9 **Seconded by Commissioner Lucarelli.**

10  
11 Commissioner Duryea said he wanted the Commission to make sure they know what  
12 we are getting. The area where the road is going to swivel through there is supposed to  
13 be a retention pond.

14  
15 Mayor Meador said there is going to be retention back in what is the unimproved area of  
16 Flagg Lane.

17  
18 Commissioner Duryea said not only are you getting a sign in the right-of-way that  
19 doesn't meet the Lake Mary Boulevard Overlay Standards which we have been  
20 religious about trying to keep, but we are getting retention ponds around the building  
21 that are nine feet deep. That is just the first phase. Just because it says Welcome to  
22 Lake Mary on it doesn't thrill him. He wasn't talking about the building but the first  
23 phase with the flagpoles and memorial was great. He didn't mind the road going  
24 through there but there are some issues with this.

25  
26 Mayor Meador asked Mr. Noto if he was aware of that.

27  
28 Mr. Noto answered affirmatively and thanked Commissioner Duryea for bringing those  
29 to staff's attention. We will work with the applicant to address those issues.

30  
31 **Motion carried by roll-call vote: Deputy Mayor Brender, Yes; Commissioner**  
32 **Duryea, No; Commissioner Lucarelli, Yes; Mayor Meador, Yes.**

33  
34 B. Resolution No. 882 – Annual Assessments – Lake Mary Woods Wastewater  
35 Improvements

36  
37 The City Attorney read Resolution No. 882 by title only.

38  
39 Mr. Litton said this is the annual assessments for Lake Mary Woods wastewater  
40 improvements in the amount of \$574.34. This is the seventh year this has been in  
41 effect and we have a ten-year program. Nine out of 106 properties have paid off the  
42 assessment. Staff recommended approval.

43  
44 **Motion was made by Deputy Mayor Brender to approve Resolution No. 882,**  
45 **seconded by Commissioner Lucarelli and motion carried by roll-call vote:**

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

3  
4 C. Ordinance No. 1424 – Repealing sections 133.12 – 133.16 regulating  
5 firearms – First Reading (Public Hearing)  
6

7 The City Attorney read Ordinance No.1424 by title only on first reading.  
8

9 Ms. Reischmann said the Commission is probably aware of the recent legislation which  
10 reiterated the Legislature’s preemption of the field of firearms. A lot of cities have  
11 regulations which were grandfathered and came before the preemption of the field and  
12 we deemed them regulating conduct and not really regulation firearms per se. Because  
13 the Legislature has reiterated the preemption and stated not only is everything you have  
14 void but if you try to enforce it we are going to penalize you. Individual employees and  
15 individual commissioners can be sued civilly as well because there is the exposure.  
16 Everybody is getting the message that the Legislature wants repeal of these codes. In  
17 an abundance of caution most cities and counties are now coming to repeal. The  
18 reason that is not devastating is because she has spoken to the interim chief and he  
19 has verified that FDLE has gone through and said every one of your regulations is  
20 covered by state law so those could be enforced through state law and we don’t have a  
21 gap in enforcement.  
22

23 Commissioner Duryea said he reads that this has a way to prevent counties and  
24 municipalities from doing anything with regard to firearms.  
25

26 Ms. Reischmann said that was correct. It is loud and clear that is the intention. Any  
27 group that feels damaged by anything you do regarding firearms can sue civilly.  
28

29 Commissioner Duryea said he had no idea where this came from except that it seems  
30 like a way for the state to bring all of these regulations under their control so no one else  
31 had fool with it.  
32

33 Ms. Reischmann said it was her understanding there were a couple of cities and  
34 counties that were passing regulations that somebody in the Legislature felt violated the  
35 preemption and basically took away people’s rights that had concealed weapon permits  
36 and they weren’t allowed to carry their guns. With our repeal of these people can bring  
37 concealed weapons to city parks. They can’t display them but they can bring a  
38 concealed weapon to a park. She didn’t know which city or county got them into this but  
39 somebody did something that was deemed to be a problem.  
40

41 Commissioner Duryea asked why this is a problem and why is it coming before them.  
42 He understood somebody decided it was a problem but questioned why this is coming  
43 before them in the form of an ordinance.  
44

45 Ms. Reischmann said since 1987 the Legislature has preempted the field but now if we  
46 had some things on the books before that time they are saying you are going to get

1 penalized not only if you adopt new rules but also if you enforce your old rules. As long  
2 as we don't enforce the old laws we won't get into trouble but the problem is someone  
3 could slip and say somebody violated state law and "city code". If it is on the books  
4 somebody might slip and put it on a charge document or something and somebody is  
5 getting thrown in jail for writing "city code". For instance the police chief could get  
6 individually brought up on charges.

7  
8 Mayor Meador said regarding the issue of concealed weapons at parks, you can outlaw  
9 anything but if someone has a concealed weapon and they want to carry it they are  
10 going to carry it.

11  
12 Commissioner Lucarelli said what bothered her is if this is a precedent to continue to  
13 gnaw away at home rule. She had personally seen how state laws are not well  
14 enforced. That was a concern. We had a case where a lady gave testimony in a  
15 courtroom that a person with a concealed weapon brandished his gun to her which is  
16 supposed to be a minimum three-year prison sentence and he got zippo. She said she  
17 was not impressed with what the state is doing as far as their laws and enforcing them  
18 and was not agreeable to them whittling away home rule. We do a much better job of  
19 enforcing our laws and ordinances than they could even imagine.

20  
21 Commissioner Duryea said he agreed with that.

22  
23 Ms. Reischmann said we will be enforcing these statutes which basically cover us for  
24 what we had in our code. Lake Mary Police will be enforcing the statutes.

25  
26 Commissioner Lucarelli interjected if the state attorney will back us.

27  
28 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1424.

29  
30 Joanne Counelis, 136 East Alma Avenue, came forward. She stated she hated firearms  
31 and didn't want them allowed in Lake Mary or any other Central Florida area because  
32 she didn't want anyone to get killed. She was in favor of SunRail but was against  
33 firearms.

34  
35 No one else came forward and the public hearing was closed.

36  
37 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1424 on**  
38 **first reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
39 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**  
40 **Duryea, Yes; Mayor Meador, Yes.**

41  
42 D. Ordinance No. 1425 – Acquire property located at 130 East Crystal Lake  
43 Avenue – First Reading (Public Hearing)

44  
45 The City Attorney read Ordinance No. 1425 by title only on first reading.

1 Mr. Litton said this is one of the last two remaining properties that we have been trying  
2 to acquire on East Crystal Lake Avenue to basically package them for the potential  
3 Downtown development. The current zoning is C-1 and has approximately 22,968  
4 square feet, or .52 acres. The purchase price is \$200,000 with a deposit of \$5,000.  
5 The City is responsible for closing costs estimated at \$15,330 plus the real estate  
6 commission. We have 60 days to complete our work and closing will not be later than  
7 120 days from the effective date of the contract. The market is coming down a bit and  
8 is \$8.70 per square foot. He recommended approval.

9  
10 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1425. No  
11 one came forward and the public hearing was closed.

12  
13 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1425 on**  
14 **first reading, seconded by Deputy Mayor Brender and motion carried by roll-call**  
15 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**  
16 **Lucarelli, Yes; Mayor Meador, Yes.**

17  
18 IX. Other Items for Commission Action - None

19  
20 X. Citizen Participation

21  
22 Joanne Counelis, 136 East Alma Avenue, came forward. She stated we needed a bus  
23 on Sundays and holidays on 434, Lake Mary Boulevard, and Longwood-Lake Mary  
24 Road.

25  
26 Commissioner Lucarelli suggested Ms. Counelis talk to the Longwood Commission  
27 about the 434 route.

28  
29 DeLores Lash, 213 South Country Club Road, came forward. The government station  
30 did a good job for Lake Mary.

31  
32 Ms. Lash said she wished Chief Bracknell would have been here tonight. She totally  
33 agreed with George Duryea and Dr. Hawkins. She thought at Gander Mountain you've  
34 got to watch I-4 and there are a lot of wrecks on Lake Mary Boulevard. The little road  
35 that goes in between the bank and the Bob Evans and then back along Lake Emma  
36 Road is a congested area. You have got to watch that traffic and hoped the  
37 Commission works on that because it is a big concern. She thanked the Commission  
38 for doing a good job.

39  
40 Mayor Meador said Ms. Lash mentioned the P&Z Chair Dr. Hawkins. We are very  
41 fortunate to have that kind of sustained performance and knowledge base. His letter  
42 was very detailed and helpful. Much of what he presented has already been  
43 incorporated through staff and the City Attorney. It is invaluable to have these public  
44 hearings to get as much input as possible.

1 Ms. Lash said the veterans memorial will be good for business too because they can  
2 have flag ceremonies and things like that.

3  
4 No one else came forward and citizen participation was closed.

5  
6 XI. Reports

7  
8 A. City Manager

- 9  
10 1. Request Commission authorize City Manager to execute two-year contract with  
11 Paetec for City voice and Internet services

12  
13 Mr. Litton said this is the renewal of the City's contract with Paetec for voice and  
14 Internet services. Not only has the price come down from \$1,900 to \$1,525 but we are  
15 going to increase the speed significantly and is something we need. It is a two-year  
16 contract and he asked the Commission to authorize him to enter that agreement.

17  
18 **Motion was made by Deputy Mayor Brender to authorize the City Manager to**  
19 **execute two-year contract with Paetec for voice and Internet services, seconded**  
20 **by Commissioner Lucarelli and motion carried unanimously.**

21  
22 Mr. Litton reminded everybody that on August 18<sup>th</sup> at 5:00 P.M. we have scheduled a  
23 Public Forum regarding the potential closure or alterations to the traffic on Broadmoor  
24 Road. We mailed out notices to approximately 980 property owners as well as posting  
25 it on our website and bulletin boards. We have received several calls on it.

26  
27 Mr. Litton said we went through the Charter review process and the Charter Review  
28 Committee did a yeoman's job in working through that. At Strategic Planning the  
29 Commission went through those recommendations and cut out a couple. The City  
30 Attorney has had a chance to go through it and look at how many questions those  
31 would entail and they are in excess of ten. He thought ten was too many. He needed  
32 to know how the Commission wanted to handle that. He thought the earliest we could  
33 do anything would be the Presidential Preference Primary and was not sure when that  
34 was going to be. He thought it would come down to the Commission prioritizing what is  
35 important. He said the preamble that was unanimously recommended by the Board  
36 was a question. He said the City Attorney tried to minimize the questions but they are  
37 what they are.

38  
39 Commissioner Duryea asked the City Attorney if she saw any priorities.

40  
41 Ms. Reischmann said there are a few things that have been superseded by state law  
42 and that is not real important because we go by state law. She thought the term length  
43 for commissioners was important.

1 Mr. Litton said there is nothing there that is going to break us but we appointed the  
2 committee. The most important thing to him was making sure they do it every five years  
3 so we don't get into the thing where we have ten items coming forward.  
4  
5 Deputy Mayor Brender asked the City Manager how many he thought was reasonable.  
6  
7 Mr. Litton said three but no more than four. The audit selection is statutory so we  
8 wouldn't have to do that.  
9  
10 Ms. Reischmann said it is important cleanup but is not vital. She would think the length  
11 of term was something they would want to address soon.  
12  
13 Mr. Litton said he thought the Commission should decide which three.  
14  
15 Mayor Meador said if we go with the lineup of the Presidential Preference, he asked the  
16 timeline working backwards so what would be a drop-dead date that we would have to  
17 reach a consensus as to whether we want to go forward.  
18  
19 Mr. Litton said we would have to have those to the Supervisor of Elections by December  
20 30<sup>th</sup>.  
21  
22 Deputy Mayor Brender said we could do one set presidential, one set in November, and  
23 there is another election before the party elections prior to the general election and then  
24 we get the primary. We could do three, three and three.  
25  
26 Mr. Litton said the Commission doesn't have to make a decision tonight but would like  
27 them to think about it. It is something we need to plan for. They may want to wait until  
28 the fifth seat is filled to decide.  
29  
30 Mayor Meador said that was what he was thinking. If an individual is unopposed we  
31 could meet as early as the September timeframe. If there is a challenged election then  
32 maybe the second meeting in November. He asked that the questions be forwarded to  
33 the Commission and at the first meeting in September have it under the City Manager's  
34 Report.  
35  
36 Commissioner Lucarelli asked if there would be public hearings.  
37  
38 Ms. Reischmann answered affirmatively and said it would be by ordinance and requires  
39 two readings.  
40  
41 Mr. Litton said we couldn't do an emergency ordinance on that.  
42  
43 Ms. Reischmann said she didn't think there was anything in the statutes that says you  
44 can't do an emergency on that.  
45

1 Mr. Litton said tomorrow PRM is holding a Police Liability Seminar at the Events Center.  
2 There will be over 70 law enforcement officers, chiefs and command staff attending.  
3 Everything that has been said about these in the past has been very positive. We look  
4 forward to hosting that.

5  
6 Mr. Litton said the Lake Mary Historical Museum will host an opening reception for their  
7 new exhibit "Arts of Florida" tomorrow evening from 6:00 P.M. to 8:00 P.M. at the  
8 museum. Paintings by Sanford artist E.B. Stowe, Lake Mary artist Betty Reagan, and  
9 Florida Highwayman R.L. Lewis will be part of the exhibit. The public is invited to  
10 attend.

11  
12 Mr. Litton said there was a mistake on the monthly calendar as far as the watering  
13 restrictions. Watering is not allowed between 10:00 A.M. and 4:00 P.M.

14  
15 B. Mayor

16  
17 Mayor Mealor had no report at this time.

18  
19 C. Commissioners (2)

20  
21 Commissioner Duryea commended the Historical Commission for their annual train  
22 exhibit they have put on for the past three or four years. If you go in the back door and  
23 carefully watch the children, some kids are there for three hours and they have to be  
24 dragged out. He said he liked that. This particular exhibit was staffed entirely by the  
25 Historical Society. They had well over 500 people come through and they did a great  
26 job. He commended the Historical Society.

27  
28 Commissioner Lucarelli had no report at this time.

29  
30 Deputy Mayor Brender said he attended Metroplan and they voted on the finalized  
31 prioritized list for 2016 – 2022. It is discouraging and daunting because when you look  
32 at the entire list it involves somewhere around \$10-12 billion. It is a daunting process  
33 but we do have certain priorities.

34  
35 Deputy Mayor Brender said discussions on the Wekiva Parkway are continuing between  
36 Orlando-Orange County and the State DOT and Turnpike. He understood those  
37 discussions were positive so the general indication is there will be a settlement to that  
38 issue. OOCEA is planning to begin the final design of the roadway within the next 60  
39 days or so.

40  
41 D. City Attorney

42  
43 Ms. Reischmann said she wanted to make sure the Commission knew about the  
44 Attorney General opinion that came out where the Attorney General was considering  
45 the legality of the internet cafes and actually found that the ones run by Allied Veterans  
46 who say they do it for the veterans were illegal. It is an Attorney General opinion so it is

1 not binding on the courts and the sheriff's office is not beginning enforcement of the  
2 county ordinance until it goes through the courts. They will begin enforcement as soon  
3 as it gets through the courts and it is expected to get through pretty fast.

4  
5 Ms. Reischmann said the Pill Mill Registry is scheduled to begin October 1.

6  
7 Ms. Reischmann said the City Manager had asked her about the fact that we have four  
8 votes and what happens if we have two/two. There is a bit of split in terms of how  
9 people handle that. She and the Mayor discussed it and Robert's Rules say that it  
10 means the motion did not pass and the action is the motion failed. Some places will say  
11 you've got to keep voting until you get an affirmative action like three/one. She asked  
12 the Commission to keep in mind that if they are thinking of voting no and know it is  
13 going to be two/two just know that means the motion failed. That may affect your  
14 decision making if it is something like a preliminary decision where you don't necessarily  
15 want to stop it dead in its tracks.

16  
17 Deputy Mayor Brender said he did make announcements to that effect in the Mayor's  
18 absence the last two meetings just in case somebody was there who had an action item  
19 coming forward. He let everyone know that would have been the result. Hopefully if  
20 any of the Commission had a problem they would let staff know in advance so we don't  
21 end up ending something that we didn't mean to end.

22  
23 Commissioner Lucarelli said she participated via conference call in a meeting regarding  
24 our CRA and thought the end result was very positive. They are going to move forward.  
25 It is going to be a joint Seminole County/Lake Mary effort and rather than just doing a  
26 little piece of the medians in front of the college, Seminole County is going to join in so  
27 that it's more uniform looking.

28  
29 Mr. Omana said we are preparing a memo summarizing all the positions and will  
30 forward that to the Commission.

31  
32 XII. Adjournment

33  
34 There being no further business, the meeting adjourned at 8:40 P.M.

35  
36  
37  
38  
39 \_\_\_\_\_  
David J. Mealor, Mayor

\_\_\_\_\_

Mary Campbell, Deputy City Clerk

40  
41  
42 ATTEST:

43  
44  
45 \_\_\_\_\_  
Carol A. Foster, City Clerk