

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held August 16, 2012,  
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 7:05 P.M.  
9

10 II. Moment of Silence

11  
12 Mayor Mealor asked everyone to keep in mind that this is the anniversary of the  
13 Japanese surrender in 1945 and for all practical purposes concluded World War II. The  
14 sacrifice of those who came before us are the very reasons we can do what we do this  
15 evening.

16

17 III. Pledge of Allegiance

18  
19 The Pledge of Allegiance was led by Mr. James Thompson.  
20

21 IV. Roll Call

22

23 Mayor David Mealor  
24 Deputy Mayor Gary Brender  
25 Commissioner George Duryea  
26 Commissioner Allan Plank  
27 Commissioner Jo Ann Lucarelli

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Jackie Sova, City Manager  
Carol Foster, City Clerk  
Dianne Holloway, Finance Director  
John Omana, Community Dev. Dir.  
Gary Schindler, City Planner  
Steve Noto, Planner  
Bruce Paster, Public Works Director  
Bryan Nipe, Parks & Recreation Dir.  
Randy Petitt, HR Administrator  
Steve Bracknell, Police Chief  
Bruce Fleming, Sr. Code Enforcement Officer  
Craig Haun, Fire Chief  
Katie Reischmann, City Attorney  
Mary Campbell, Deputy City Clerk

38

39 V. Approval of Minutes: August 2, 2012

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41  
42

**Motion was made by Deputy Mayor Brender to approve the minutes of the August 2, 2012, meeting, seconded by Commissioner Duryea and motion carried unanimously.**

43

44 VI. Special Presentations

45  
46

There were no special presentations at this time.

1  
2 VII. Unfinished Business

3  
4 There was no unfinished business at this time.

5  
6 VIII. New Business

7  
8 A. Ordinance No. 1467 – Amending the Property Maintenance Code – First  
9 Reading (Public Hearing) (Bruce Fleming, Sr. Code Enforcement Officer)

10  
11 The City Attorney read Ordinance No. 1467 by title only on first reading.

12  
13 Bruce Fleming, Senior Code Enforcement Officer, came forward. Mr. Fleming said  
14 before the Commission is a proposal from staff to amend the Lake Mary Property  
15 Maintenance Code. The Commission signed the Lake Mary Property Maintenance  
16 Code into effect December 2010 and it has been a very effective document. The Hills of  
17 Lake Mary retention pond that we dealt with was based on the provisions of our  
18 Property Maintenance Code. It additionally allowed us to go in and required foreclosed  
19 or abandoned properties be registered with the Office of the City Clerk. That has been  
20 a very effective program and it continues to grow.

21  
22 Mr. Fleming said what we found after we reviewed the code and after a few hiccups  
23 occurred over the last almost two years is that the code does not clearly define issues  
24 like demolition. We wanted to go in and give strength to our ordinance by adopting  
25 Chapter 1 of the International Property Maintenance Code, 2009 Edition, specifically to  
26 deal with demolitions, unsafe buildings or structures, and emergency situations where  
27 the City may be required to go in and do emergency rehab such as boarding up  
28 windows and/or doors, closing in a swimming pool and things of that nature. We  
29 neglected to include those in the original copy of the Property Maintenance Code.

30  
31 Mr. Fleming said we propose that the ordinance be amended to allow us to adopt  
32 Chapter 1 of the International Property Maintenance Code as well as to define  
33 specifically the responsible staff member who is responsible for discharging or enforcing  
34 the provisions of that portion of this ordinance. We ask that the Building Official be the  
35 person designated by the City Commission to have the authority to determine  
36 demolition, unsafe structures, and if necessary the ability to board up structures that  
37 have been abandoned that pose a hazard to the community at large and health and  
38 public safety in general.

39  
40 Mr. Fleming said in doing so it also required that we amend Chapter 91.74 of the Code.  
41 In the original document we referred to the Code Official. The Code defines Code  
42 Official as the Police Chief, Fire Chief, Community Development Director, Building  
43 Official, and the Code Enforcement Officer. For purposes of clarity as it pertains to  
44 demolition and integrity issues, we wanted to clarify the authority that is responsible for  
45 making those determinations. We amended Chapter 91.73 and struck through Code  
46 Official and re-titled it Building Official. Also in Chapter 91.78 we have amended the

1 provisions in two spots. We wanted to take out the provision that said the Code Official  
2 will make notification in cases of violation of this ordinance and make the Code  
3 Enforcement Officer responsible for the notices of code violations. In the original  
4 ordinance we wanted to change from the Property Appraiser as the established area of  
5 record to determine property ownership to the Tax Collector consistent with Chapter  
6 162 of the Florida Statutes.

7  
8 Deputy Mayor Brender asked Mr. Fleming where the International Property  
9 Maintenance Code came from.

10  
11 Mr. Fleming said the International Property Maintenance Code was developed by the  
12 International Code Conference. It is a document commonly used by a lot of jurisdictions  
13 as their building code and is how they developed their building code issues. We  
14 examined the International Property Maintenance Code and we found some of the  
15 provisions of that code were too stringent for the culture we have established in Lake  
16 Mary but Chapter 1 deals primarily with demolition, unsafe structures, and emergency  
17 situations for the Building Official to act.

18  
19 Deputy Mayor Brender said in Item F of 91.74, it says the appeal of code enforcement  
20 board decision shall be to the circuit court. Most code enforcement issues come before  
21 the Commission.

22  
23 Ms. Reischmann said that was statutory. The Commission sees requests for  
24 reductions.

25  
26 Deputy Mayor Brender questioned if somebody couldn't be requesting a reduction.  
27 There are fines involved in this. He asked how they would handle that.

28  
29 Ms. Reischmann said typically an appeal from a code board under 162 goes to the  
30 circuit court. This is actually the appeal from the condemnation, the demolition. We  
31 could have this go to the Commission if desired but this has been in place for a while.  
32 With this we were trying to track 162 to the extent that we could and because 162  
33 allows appeal from the code board to the circuit court it seemed logical to use the same  
34 method for the condemnation process. There isn't preemption and we could potentially  
35 allow it to come to the Commission. That would be another change to the process.

36  
37 Mayor Mealor said he didn't think it needs it. This is just a few clerical corrections to  
38 something we already have in place. He said that's why we have the board and didn't  
39 think it needed to come to the Commission.

40  
41 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1467. No  
42 one came forward at this time and the public hearing was closed.

43  
44 **Motion was made by Commissioner Lucarelli to approve Ordinance No 1467 on**  
45 **first reading, seconded by Commissioner Plank.**

1 Ms. Reischmann said there were a couple of tweaks to the ordinance that would come  
2 forward at second reading. Nothing major.

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

7  
8 B. Ordinance No. 1468 – Small scale amendment to the Future Land Use  
9 Element related to Policy 1.4; Table GOP-1; Policy 8.2 of the City’s  
10 Comprehensive Plan related to the Downtown Economic Policy Initiative  
11 (DEPI) & Future Land Use Map revision for 3.03 acres of property in the  
12 Downtown from DDD (Downtown Development District), TOD (Transportation  
13 Oriented Development), and DEPI (Downtown Economic Policy Initiative)  
14 land use designations – First Reading (Public Hearing) (Gary Schindler, City  
15 Planner)

16  
17 The City Attorney read Ordinance No. 1468 by title only on first reading.

18  
19 Mr. Omana said the item before the Commission is a further piece of the puzzle. Over  
20 the years he has said “set the regulatory table” and this is part of that continuing  
21 process. The reason we are excited about this item is that under the revised statutory  
22 guidelines and the reorganization in Tallahassee, this has enabled us to piggyback and  
23 take advantage of the flexibility that is now afforded through the statutes to arrive at  
24 what we believe to be a sound redevelopment policy process. With the guidance from  
25 the City Manager we believe this is an exciting time and exciting policy and we look  
26 forward to the Commission’s guidance on this matter.

27  
28 Mr. Schindler said this is several text amendments to the Comprehensive Plan and a  
29 change of land use for a specific property. This is the second time we have been able  
30 to do this. We couldn’t do it before the Spring of 2011 when the legislature changed the  
31 Florida Statutes to allow comp plan amendments to go through a small scale  
32 amendment if at the same time they were relating to a specific piece of property. We  
33 have 3.03 acres of property that we are proposing to change the land use. Right now it  
34 has Downtown Development District and TOD and the change will be to Downtown  
35 Development District, TOD Overlay, and the new proposed DEPI Overlay District.

36  
37 Mr. Schindler said the changes to the comp plan involved are all in the Future Land Use  
38 Element. 1.4 is the description of the DEPI and it needs to be noted that we are  
39 proposing that only properties that have PUD zoning and a minimum of 50 dwelling  
40 units per acre can be assigned the DEPI. The minimum area in the Downtown for  
41 which PUD zoning is applicable is 2-1/2 acres so the DEPI cannot be assigned willy-  
42 nilly all over the place. It is for larger pieces of property and in the Downtown 2-1/2  
43 acres is a fairly sizable piece of property. We have the description of the DEPI in 1.4,  
44 we are amending GOP-1 to add the DEPI, and then we have the Policy 8.2: The City  
45 shall encourage through public/private partnerships the development of projects  
46 acceptable to the City, primarily designed to accommodate and promote Transit

1 Oriented Development (TOD) and other value added activities. Participation by the City  
2 may include direct financial participation resulting in promotion of development and  
3 redevelopment, use of the TDR program, facilitation of the PUD process to provide  
4 flexibility in design or other measures deemed appropriate by the City Commission.  
5 Such projects shall have PUD zoning.  
6

7 Mr. Schindler said in addition to the text amendment, we've looked at the 3.03-acre  
8 property and reviewed it in light of the standards which we look at all properties related  
9 to Comprehensive Plan changes and we find it meets or exceeds all the minimum  
10 criteria. Staff recommends that the City Commission approve the following:  
11

- 12 1. Revision of Future Land Use Element Policy 1.4 creating the Downtown  
13 Economic Policy Initiative overlay land use designation.
- 14 2. Revision of Future Land Use Element Table GOP-1 adding the Downtown  
15 Economic Policy Initiative overlay land use designation.
- 16 3. Add Policy 8.2.
- 17 4. Revision of the Future Land Use map showing DDD, TOD and DEPI land use for  
18 3.03 acres of property in the Downtown.
- 19 5. The proposed revisions to the City of Lake Mary Comprehensive Plan comply  
20 with the requirements of Section 163.3187, Florida Statutes.  
21

22 Mr. Schindler said at their July 19, 2012, meeting, the LPA voted to recommend all the  
23 above recommendations.  
24

25 Mayor Meador said so it doesn't appear to be a partisan presentation, he asked the  
26 meaning of GOP-1.  
27

28 Mr. Schindler answered Goals, Objectives and Policies.  
29

30 Mayor Meador thanked staff for bringing this forward. We have had work sessions, quite  
31 a few meetings, City and community input getting us to this point this evening.  
32

33 Deputy Mayor Brender said in the description the DEPI is set up for 58 units per acre.  
34

35 Mr. Schindler said 50 dwelling units per acre or larger. That's the minimum.  
36

37 Deputy Mayor Brender asked if it was implied that we can't use the DEPI for a business.  
38 He asked if somebody wanted to build an office building on two acres.  
39

40 Mr. Schindler said as proposed it is only residential but the Commission is free to revise  
41 it as necessary. This is first reading.  
42

43 Deputy Mayor Brender asked why limit it to apartments when there could be office or  
44 some other use that could conceivably come in that wouldn't involve a dwelling,  
45

46 Mr. Schindler said that was a good point.

1  
2 Mr. Schindler said once this is in place these projects still have to come before the  
3 Commission and you have the ultimate decision as to whether or not to participate in a  
4 public/private partnership. Just by adopting the regulations doesn't mean that you are  
5 going to participate.

6  
7 Deputy Mayor Brender said he would rather leave everything open.

8  
9 Mr. Schindler said in all of the discussions the non-residential development was never  
10 brought up. Not that it can't be added.

11  
12 Ms. Reischmann said it doesn't prevent you from entering into a public/private  
13 partnership just because someone doesn't have the DEPI.

14  
15 Deputy Mayor Brender said he would like to make the code as inviting as we can make  
16 it. We are talking about adding a few words.

17  
18 Commissioner Plank asked if changing that would affect the density issues and  
19 everything. He asked if a good part of this would have to be rewritten to accommodate  
20 commercial.

21  
22 Mr. Schindler said it would need to be revised. He asked the City Attorney if it would  
23 change the heading of the ordinance.

24  
25 Ms. Reischmann said it would probably require another first reading.

26  
27 Mayor Mealor said Deputy Mayor Brender brings up an interesting point. It is not part of  
28 the earlier discussions where we were trying to increase and maximize densities to  
29 support the TOD and some of the initiatives down there. He asked the Commission  
30 their thoughts on the ordinance and should they go to the additional use mentioned.

31  
32 Commissioner Duryea said his concern was when you have a lower usage like  
33 residential and you want to put commercial then it changes the whole scope of things. If  
34 we do allow commercial it is going to change the parameters.

35  
36 Mayor Mealor said he thought it was going to change the intent.

37  
38 Deputy Mayor Brender said all we are doing is setting the regulatory table and we will  
39 set it for apartments and larger developments of commercial buildings.

40  
41 Commissioner Plank said he would have to see the changes before he could go on with  
42 that. He thought there were going to be too many things affecting the density and  
43 everything else. When you get into commercial development it is going to raise a  
44 number of issues. He said he was not against it but would like to see what the changes  
45 would be.

46

1 Mr. Omana said to address a question as to why we looked at it this way, since we are  
2 in this TOD-type of arena given what's going on with SunRail and the surrounding  
3 areas, we focused our attention primarily on one of the key elements of TOD and transit  
4 development and that is the residential component and bringing the bodies into a  
5 downtown area which translates to a higher density. Our primary focus at that juncture  
6 was the TOD residential component which is one of the key factors in TOD. He said he  
7 was not downplaying the commercial side.

8  
9 Mr. Omana said if the Commission is in favor of the commercial designation as well, in  
10 light of the fact that this was looked at by the LPA, his concern would be if we amended  
11 this between first and second readings it would technically be different from what the  
12 LPA saw. For purposes of consistency and since it is in the comp plan process, he  
13 preferred to allow this to move forward. If it is the Commission's directive to incorporate  
14 commercial language, we could subsequently do an amendment to the comp plan  
15 incorporating new additional requirements. That way it is cleaner and it gives  
16 everybody the ability to review specific requirements.

17  
18 Deputy Mayor Brender said he was okay with that.

19  
20 Commissioner Lucarelli said we have spent months and years on this downtown comp  
21 plan and there's no reason to start trying to rewrite it. She concurred with Mr. Omana's  
22 recommendation.

23  
24 Deputy Mayor Brender clarified that when he says commercial, if somebody wants to  
25 develop the two acres on the other side of Palmetto, he wasn't talking about a strip mall.  
26 He was talking about somebody who wants to put in an 80,000 square foot commercial  
27 office building or something along that line. He would like to have the table set for  
28 something like that.

29  
30 Mr. Omana said redevelopment is a continuously evolving process. Given his  
31 experience in the South Florida area, we were constantly amending codes and  
32 standards given new situations that were brought into the equation. Think of it as a  
33 continuously evolving process.

34  
35 Ms. Reischmann said this is being done as a small scale amendment where you don't  
36 have to send it to the state between first and second readings and the only reason we  
37 can do that under the new statute is because the text amendment is directly related to  
38 the future land use map amendment. If we add potential for additional property then we  
39 are going to have a large scale amendment.

40  
41 Deputy Mayor Brender said to pass it as it is but would like to take a look at what  
42 language we may be able to go with for amending it.

43  
44 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1468. No  
45 one came forward at this time and the public hearing was closed.

1 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1468 on**  
2 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**  
3 **vote: Commissioner Duryea, Yes; Commissioner Plank, Yes; Commissioner**  
4 **Lucarelli, Yes; Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

5  
6 IX. Citizen Participation  
7

8 Jim Thompson, 108 Oaks Court, Sanford, Florida, came forward. He said he wanted to  
9 let everyone know what an honor and privilege it was to be able to lead the Pledge of  
10 Allegiance tonight. He said it meant a lot to him especially when the Mayor mentioned  
11 that this was the anniversary of V-J Day. He said he was in the Navy in Georgia at the  
12 time and they had a lot of celebrating to do.

13  
14 Mayor Mealor said Mr. Thompson may reside just across the city boundaries but what  
15 he gave this community we will remember for a long, long time.

16  
17 Stella Tagliavore of The Art Studio of Lake Mary, 241 North Country Club Road, came  
18 forward. She said she had been working hard with the citizens of Lake Mary, Heathrow,  
19 Longwood, the whole Seminole County, and Commissioner Lucarelli. She said the  
20 Commissioner was behind them supporting our arts and bring more culture and arts  
21 education to our community. We are planning to start Five Points Artists Association  
22 and would like to start in Lake Mary. Five Points will include Lake Mary, Sanford,  
23 Longwood, Casselberry, and Winter Springs. She invited all the people who believe  
24 arts and culture could help better our community. It will be a 501(c) (3) non-profit  
25 organization. It is still a work in progress. She wanted the City to be aware of it and  
26 perhaps help them out.

27  
28 Ms. Tagliavore said because we believe in arts and culture, we would like to bring more  
29 arts in the public areas such as sculptures and murals at the permitted areas. She  
30 mentioned murals to Mr. Omana. If we are permitted we would like to have two  
31 beautiful murals hugging our building to start. One side is facing Country Club Road  
32 and the other side is facing Lake Mary Avenue. We have a basic idea and would share  
33 it with everyone in the future. It will be beautiful and will not be graffiti style. It will be  
34 adding a beautiful sight to the City. I believe we can do it together as a team to make  
35 our City of Lake Mary, besides the beautiful city of lakes but also with a lot of art and  
36 culture and seeing with our eyes and promoting more and inspire generations to come.  
37 She said she appreciated the Commission listening.

38  
39 Mayor Mealor said we wish Ms. Tagliavore the best with the Five Points Artists  
40 Association and she has been very gracious with her invitations to different events.

41  
42 Mayor Mealor said the request Ms. Tagliavore is making is not the first time this has  
43 come before the City. There are issues that need to be worked through and  
44 considered. We will need to work with Parks and Rec and possibly Mr. Fleming. He  
45 asked Commissioner Lucarelli to serve as the Commission liaison to the Five Points  
46 Artists Association.

1  
2 Commissioner Lucarelli accepted the appointment.

3  
4 Ms. Tagliavore said we are hosting an event on August 25<sup>th</sup> and we are inviting all the  
5 citizens to join us that evening. We will have music that Saturday evening from 6:00  
6 P.M. to 8:00 P.M. We would like to celebrate the arts in our community. We will have  
7 an open house of the arts center. Everybody is invited.

8  
9 Mario Petrucci of the Hills of Lake Mary came forward. He thanked the Commission for  
10 the work they have done with them to help beautify their neighborhood. The assistance  
11 of Deputy Mayor Brender as a personal contact we worked diligently together to get as  
12 far as we have gotten and you are familiar with our particular situation at 46A and Lake  
13 Como Drive. We have been debating with our attorney and the attorney who owns that  
14 tract of land whether or not we should go into court litigation and he suggested it would  
15 probably cost more money than we would even think about spending and whether we  
16 would be successful or not. He thanked those who attended their annual meeting last  
17 month and for the Mayor's enthusiasm and words of wisdom. He said he was  
18 particularly interested in your Neighborhood Beautification Grants Program and hoped  
19 the Commission would support that so we continue moving forward to making our  
20 neighborhood look like the rest of the City.

21  
22 No one else came forward at this time and citizen participation was closed.

23  
24 X. Reports

25  
26 Mayor Meador said we have representatives from the County as well as somebody  
27 willing to invest in the City of Lake Mary. He asked if the Commission had any objection  
28 to moving to Item 1 under Items for Commission Action.

29  
30 **Motion was made by Deputy Mayor Brender to change the order of the City**  
31 **Manager's agenda and discuss Item No. 1 under Items for Commission Action**  
32 **first, seconded by Commissioner Plank and motion carried unanimously.**

33  
34 A. City Manager

35  
36 ITEMS FOR COMMISSION ACTION:

- 37  
38 1. Paylocity Corporation – Jobs Growth Incentive (JGI) Program Interlocal Funding  
39 Agreement

40  
41 Ms. Sova said we have an offer for a Jobs Growth Incentive (JGI) with Paylocity  
42 Corporation. They already have space in the City and would like to create 83 new jobs.  
43 The average wage of those jobs will be \$39,000 with an anticipated capital investment  
44 of \$1,571,400. As a result of this application, each job would be eligible for a \$2,000  
45 grant which is a total award of \$166,000. The City's share would be half and we would  
46 share with the County for \$83,000. The County will make sure the qualifications are

1 met and we would be reimbursing over three years: \$27,666.66 for years one and two  
2 and \$27,666.68 for year three. We have a representative of Paylocity present, Grant  
3 Garris, as well Tracy Turk with the EDC.

4  
5 Mayor Mealor said we thank those willing to invest in the City of Lake Mary and we will  
6 do everything we can to make sure they are successful.

7  
8 Commissioner Duryea asked what this company did.

9  
10 Grant Garris of Paylocity Corporation came forward. He said they were a payroll  
11 software company. We do payroll, HR benefits across the board but are a software  
12 company for payroll for the most part.

13  
14 **Motion was made by Commissioner Duryea to approve the Jobs Growth Incentive**  
15 **(JDI) Interlocal Funding Agreement for Paylocity Corporation, seconded by**  
16 **Commissioner Lucarelli and motion carried unanimously.**

17  
18 The Commission returned to the regular order of the City Manager's agenda at this  
19 time.

20  
21 ITEMS FOR COMMISSION DISCUSSION:

22  
23 Creation of Neighborhood Beautification Grants Program

24  
25 Ms. Sova said we would like to have discussion on the creation of a Neighborhood  
26 Beautification Grants Program. Most of our neighborhoods were built in the 1990's. We  
27 have one neighborhood HOA who is pretty much failing because they don't have any  
28 interest and because they had so many foreclosures and they have asked for some  
29 help. We have limited means to do anything for them and have our peculiar situation at  
30 46A where it really shows throughout our community. Through the urging of the HOA  
31 the County has stepped up and cleaned up the median. We still have that situation.  
32 Mr. Noto has worked hard on the creation of the Neighborhood Beautification Grants  
33 Program. If we decide to go forward we need to set an amount so we can get it in the  
34 budget before it comes up for firsts reading.

35  
36 Mr. Noto said in creating this pilot program we reviewed two similar programs in the City  
37 of Casselberry and the City of Coconut Creek. The program we created is similar to  
38 both of those programs with regard to the project, eligibility, selection criteria, and the  
39 projects selections. In the staff report is a written purpose on the program outline,  
40 definition of homeowners' association with the key being that homeowners' associations  
41 are the folks that can apply for the grant. It further defines that it cannot be a general  
42 resident group or a non-HOA. The eligible projects outlined are entry feature  
43 beautification projects and common area improvements. Those are further defined on  
44 the grant program outline. Much like Mr. Schindler's idea earlier with the DEPI is that  
45 the final decision goes to the Commission. We will look at these on a case-by-case  
46 basis.

1  
2 Mr. Noto said there are four selection criteria having to deal with investments,  
3 neighborhood supports, overall quality of life, how the proposed improvements would  
4 improve the quality of life for the City and other things the HOA may have done in  
5 requesting this grant. The project selection would eventually go to the Commission.  
6 The applicants would work with staff to describe what they have done so far, why they  
7 are applying for the grant, etc. This is a pilot program and we used Casselberry and  
8 Coconut Creek as a sounding board.

9  
10 Commissioner Duryea said he had two concerns. He didn't see anything in this original  
11 presentation that has any "teeth" as to what happens if they don't keep this up. An HOA  
12 is a pass through organization and the costs are spread among the homeowners. If we  
13 give grants without any recompense in the future, we are just saying we are spending  
14 money so you don't have to. That doesn't seem to be real popular.

15  
16 Mr. Noto said he understood the point about adding teeth. The one thing we did have  
17 was having to spend the money within nine months. We could add language to make  
18 sure they keep that area up so it's money put to good use. We will do additional  
19 research to make sure that money that may be spent by the City is equal in sweat  
20 equity or funding from the HOA. We could add some additional requirements from the  
21 applicants.

22  
23 Commissioner Plank asked Mr. Noto if he talked to Orange County. Mr. Noto answered  
24 negatively.

25  
26 Commissioner Plank said for years Orange County has had a program for HOA's similar  
27 to this and is a matching funds program which allows the commitment on the part of the  
28 HOA and allows the City's and County's funds to go further. He noticed they have to  
29 show "sweat equity" and asked Mr. Noto to define that. Would they have to have tried  
30 to do something in a given area and it didn't pull out and that we would help or can they  
31 initiate a program and come to us and say this is what we would like to do and here is  
32 what we are willing to do as our part in it.

33  
34 Mr. Noto said neither Casselberry nor Coconut Creek's applications had a definition of  
35 "sweat equity". The general consensus on that is kind any type of legwork or literal  
36 sweat that they put in to trying to maintain certain areas. This wouldn't be monetary but  
37 would be time spent, attorney works pro bono. We could look to adding a more  
38 concrete definition of sweat equity to make sure it is objective across the board.

39  
40 Commissioner Plank said right now it is basically a reactive program where they have a  
41 problem they have tried to fix and they are coming to the City for assistance.

42  
43 Mr. Noto said that was correct.  
44

1 Commissioner Plank said the only other observation he had is we have a lot of areas in  
2 the City of Lake Mary that are not under HOA's and we need to find a way to look at that  
3 as well.

4  
5 Commissioner Lucarelli said this sounds like a CRA-type thing so perhaps we could  
6 take some of that information and the way they work their contracts with a grant  
7 applicant and apply that here so there is some kind of "teeth" to it.

8  
9 Deputy Mayor Brender said they specifically mention drainage easements.  
10 Homeowners' associations are responsible for retention pond maintenance. He  
11 questioned if staff was calling that a drainage thing.

12  
13 **SIDE 1B**

14  
15 Mr. Noto said one of the thought processes that went into that is what if those drainage  
16 areas are under the control of someone other than the HOA through things that may  
17 have happened in the past.

18  
19 Deputy Mayor Brender expressed concern about including the broad term "drainage  
20 area". He suggested to exclude retention ponds because we already have an  
21 ordinance in place that says homeowners' associations have to maintain their retention  
22 areas. The particular one in question right now is not a retention area.

23  
24 Commissioner Duryea said he was against this as it is done right now. The thing that  
25 was mentioned is we would take every application and every instance as it comes. In a  
26 government situation like we have we have learned that doesn't work because as you  
27 treat one you treat all. He said he couldn't see this working.

28  
29 Mayor Mealor said these are good points and Mr. Noto has heard there is more  
30 information that needs to come to us. This is a very different way in how we have  
31 handled an agenda item. We think this has a great deal of relevance to the community  
32 and is a creative way of trying to address some outstanding issues. He said what staff  
33 is asking for is do we have any strong objection to the concept. With the equivocation  
34 of Commissioner Duryea he thought the majority are in favor of this concept. Each  
35 commissioner had a unique perspective and maybe address those and come back with  
36 a refined document but thought it was something they would like to go forward with. He  
37 thanked the City Manager for bringing this forward.

38  
39 Ms. Sova thanked the Commission for all the good points.

40  
41 ITEMS FOR COMMISSION ACTION:

- 42  
43 1. Paylocity Corporation – Jobs Growth Incentive (JGI) Program Interlocal Funding  
44 Agreement

1 This item was discussed and approved earlier in the meeting. See Page 9, Line 38.

2  
3 2. Contract with CareHere, LLC for Employee Health Clinic  
4

5 Ms. Sova said this is a contact with CareHere, LLC for an Employee Health Clinic. Our  
6 health insurance is our third largest expense behind salaries and not too far behind  
7 pension costs. In an effort to reduce insurance costs in the past we made plan  
8 changes, increased deductibles, and have done other cost containment measures. A  
9 year ago we did an RFP to find out what it would cost to have an employee health clinic  
10 and that estimate was around \$200,000. This year when we did our health insurance  
11 we went to a self-insured plan to gain some savings by not having to pay an insurer's  
12 administrative cost. We thought we could invest that into an employee health clinic to  
13 continue to drive our health insurance costs down further. We have a building we can  
14 put the clinic in on Seminole Avenue.  
15

16 Ms. Sova said we had a joint meeting with the City of Longwood to talk about the health  
17 clinic concept and since that point the City of Sanford has expressed an interest in  
18 partnering as well as the City of Oviedo. Both of those use CareHere. Longwood is  
19 behind us in the process but since we have gone self-insured she believed it's time to  
20 keep going forward.  
21

22 Ms. Sova said the contract with CareHere is \$23 per employee per month on the  
23 insurance plan and is the same as it is in all their other contracts. They do have  
24 different contracts in different entities. We are going to look to piggyback on one of the  
25 recent RFP's that was done with the City of Mt. Dora. Some of the cities have  
26 piggybacked on contracts that are a little older. She asked for approval to move  
27 forward. She noted Mr. Ray Tomlinson and Mr. Jason Sandburg of CareHere were  
28 present and that Jason would be the City's account manager.  
29

30 Mayor Mealor asked the projected cost savings if we went into this direction.  
31

32 Ms. Sova said we hope to keep our costs flat. With the combination of health insurance  
33 and operating the clinic we would hope to prevent skyrocketing insurance premium  
34 increases.  
35

36 Commissioner Duryea said Page 2 of the contract talks about the medical professional  
37 and 1.02(A) says the medical professional is to determine his or her own means and  
38 methods providing medical services connected with this agreement. He asked if they  
39 had talked about requiring a certain amount of hours.  
40

41 Ms. Sova said we were looking at opening the clinic at 12 hours per week. That is our  
42 initial estimate to open.  
43

44 Commissioner Duryea asked if it says in the contract when the "medical professional" in  
45 charge would have to be there.  
46

1 Ms. Sova said we haven't established those specifics but Ray (Tomlinson) is willing to  
2 come forward and talk about that.

3  
4 Ray Tomlinson, Vice President of Florida Operations for CareHere, came forward. Staff  
5 would either be independent contractors or employees of CareHere and they would  
6 understand they would be at the health centers at the times we set and establish in  
7 collaboration with the City. We will be working with the City to determine the days and  
8 hours of operation. Traditionally we have been flexible with the hours and depending on  
9 the utilization, we will find after a few months of being open that they will reach a peak  
10 of utilization and the City may want to increase the hours. That is a decision the City  
11 makes and not CareHere. As it relates to when and where and who would be there,  
12 that's what we determine with you. We ask staff to participate in a meet and greet  
13 before we bring on any provider and it would be a physician. We would work in  
14 collaboration with the City but there would be hours and days of certainty that they  
15 would be working there. We just don't tell them how to practice medicine.

16  
17 Ms. Reischmann said it is standard language to establish that it's an independent  
18 contractor relationship and is not to say that we don't set the hours or the place. It is in  
19 1.03 and 1.04 that we would approve that.

20  
21 Deputy Mayor Brender said he was looking at 12 hours by 3 patients per hour which is  
22 the expected turnaround so we are looking at 36 people in a week. If we open and  
23 have 48 or 52, he asked if that was an additional charge if we have to expand hours and  
24 how is that handled contractually.

25  
26 Ms. Sova said contractually we will be paying the doctor by the hour.

27  
28 Deputy Mayor Brender said CareHere continues to manage it as is but any increase in  
29 hours is directly between the City and the doctor.

30  
31 Mr. Tomlinson answered affirmatively. The City will receive a weekly utilization report—  
32 not names but numbers of patients that come in—and you will be able to watch the  
33 utilization percentage. As it approximates above 85% on a regular basis, then it is our  
34 recommendation it's time to take a look and should we increase the hours. We  
35 currently have 24 operating centers in Florida under the CareHere name and in all of  
36 our centers we started out slowly and then it picked up and cities, counties or school  
37 districts increased the hours as they were willing to do so. The only cost the City would  
38 incur is the labor cost. There is no additional cost from CareHere.

39  
40 Ms. Sova announced that Kathy Gehr was able to procure all the furniture and medical  
41 supplies from a suite that was closing. The agreement was that if we wanted the stuff  
42 we had to take everything so we have exam tables, waiting room chairs, tongue  
43 depressors. We have a garage full. We are working hard to keep the costs down.

1 **Motion was made by Deputy Mayor Brender to authorize the City Manager to**  
2 **execute a contract with CareHere, LLC for an Employee Health Clinic, seconded**  
3 **by Commissioner Lucarelli and motion carried unanimously.**  
4

5 3. Extension of contract with PDCS, LLC for temporary Building Division services  
6

7 Ms. Sova said this is an extension of our contract with PDCS for inspections in the  
8 Building Division. We have used them for about \$6,000 worth of work this year during  
9 transition of building inspectors. We expected it to be higher so our folks have done a  
10 good job. With Colonial Properties asking for some additional units and Epoch coming  
11 out of the ground, staff would like to have the ability to have PDCS to help out from time  
12 to time if necessary. The Building Official can call them that day and get them in to do  
13 some inspections. It has worked very well for some on-the-spot needs and at \$6,000  
14 this year was much less expensive than an employee.  
15

16 **Motion was made by Commissioner Plank to approve the contract extension with**  
17 **PDCS, LLC, seconded by Deputy Mayor Brender and motion carried unanimously.**  
18

19 4. Request to surplus mobile radios and transfer LM1082 to Sanford Airport  
20 Authority  
21

22 Ms. Sova said this is a request to surplus four radios from the Police Department and  
23 surplus one to the Sanford Airport Authority. We would like to surplus LM1666,  
24 LM1258, LM1081, and LM1082 with LM1082 being the one designated to go to the  
25 Sanford Airport Authority.  
26

27 **Motion was made by Commissioner Duryea to declare radios LM1666, LM1258,**  
28 **LM1081, and LM1082 surplus and authorize City Manager to dispose of with**  
29 **LM1082 being transferred to the Sanford Airport Authority, seconded by**  
30 **Commissioner Lucarelli and motion carried unanimously.**  
31

32 5. Extension of closing date – 160 West Lakeview Avenue (Mixon property)  
33

34 Ms. Sova said this is a request for an extension of a contract closing date on 160 West  
35 Lakeview Avenue and that's the Mixon property. We are hoping to make that into  
36 parking in the future. They have some difficulties with title issues and would like to  
37 extend the closing date to December 19, 2012.  
38

39 **Motion was made by Commissioner Duryea to extend the closing of the Mixon**  
40 **property at 160 West Lakeview Avenue to December 19, 2012, seconded by**  
41 **Deputy Mayor Brender and motion carried unanimously.**  
42

43 6. Board Appointments (Local Planning Agency, Parks & Recreation, Police and  
44 Fire Pension)  
45

1 Ms. Sova said this item is board appointments to the LPA, Parks & Recreation, and  
2 Police and Fire Pension. She said Michelle Pavlik has resigned from the LPA, Darrell  
3 Jarvis from the Park & Recreation Board, and Helene Beeler from the Fire Pension  
4 Board.

5  
6 Mayor Meador said Louis DiPaolo's on the Police Pension Board expires in September  
7 and they voted to ask him to come back.

8  
9 **Motion was made by Commissioner Plank to confirm the reappointment of Louis**  
10 **DiPaolo to the Police Pension Board, seconded by Commissioner Lucarelli and**  
11 **motion carried unanimously.**

12  
13 Mayor Meador said we have three remaining appointments: LPA, Parks & Recreation,  
14 and Fire Pension. There is only one individual that requested LPA and that is Mr. David  
15 Wickham. He asked the pleasure of the Board in relation to the LPA appointment. For  
16 Parks & Recreation we have Mr. Thomas J. "John" Lackey and Mr. Michael Izzo. For  
17 Fire Pension we have Mr. Martin Bel and Mr. Gregg Miller.

18  
19 **Commissioner Duryea nominated David Wickham to be appointed to LPA,**  
20 **seconded by Commissioner Plank and carried unanimously.**

21  
22 Mayor Meador asked for nominations for Parks & Recreation.

23  
24 Deputy Mayor Brender Mr. Lackey  
25 Commissioner Duryea Mr. Izzo  
26 Commissioner Plank Mr. Lackey  
27 Commissioner Lucarelli Mr. Lackey

28  
29 **Mr. Thomas J. "John" Lackey is appointed to the Parks & Recreation Advisory**  
30 **Board.**

31  
32 Mayor Meador asked for nominations for the Fire Pension Board.

33  
34 Commissioner Plank Martin Bel  
35 Deputy Mayor Brender Martin Bel  
36 Commissioner Duryea Gregg Miller  
37 Commissioner Lucarelli Martin Bel

38  
39 **Mr. Martin Bel is appointed to the Fire Pension Board.**

40  
41 Ms. Sova announced the election results. Length of Terms, Yes votes were 813 and No  
42 votes 1,285. Removal of City Manager, Clarification of Powers and Chartered Officer,  
43 Yes votes were 1,359 and No votes were 684. Action Requiring an Ordinance, Posting  
44 of Ordinances and Emergency Ordinances, Yes votes were 1,201 and No votes were  
45 804. City Commission Action on Budget in the Event of an Emergency, Yes votes 746

1 and No votes 1,252. Initiative and Referendum, Yes votes were 894 and No votes were  
2 1,031.

3  
4 Ms. Sova announced the Food Truck Crave will be returning to Central Park August 26<sup>th</sup>  
5 with new hours of 4:00 P.M. to 7:00 P.M.

6  
7 Ms. Sova announced that qualifying for Mayor and Commission Seats 1 and 3 begins at  
8 noon on Monday, August 27<sup>th</sup> and goes until noon on Friday, August 31<sup>st</sup> during normal  
9 business hours. To be eligible a candidate must have resided within the city limits of  
10 Lake Mary for over one consecutive year immediately preceding the date of qualifying  
11 and be a registered voter of Seminole County. For additional information contact the  
12 City Clerk at 407-585-1423.

13  
14 Ms. Sova welcomed the new Human Resources Manager, Randy Petitt, who joined the  
15 City this past Monday.

16  
17 Ms. Sova said the Police Department participated with the Sheriff's Office in "Kicks for  
18 Guns" today at the old Albertson's Plaza and took in 81 guns.

19  
20 B. Mayor

21  
22 Mayor Mealor had no report at this time.

23  
24 C. Commissioners (2)

25  
26 Commissioner Duryea had no report at this time.

27  
28 Commissioner Plank said we had a good meeting with the Elder Affairs Commission  
29 and they are in the process of identifying through a number of surveys what our citizens  
30 are interested in participating in. We will keep the Commission up to date as we go  
31 forward with that.

32  
33 Commissioner Plank reminded everyone that the Lake Mary Historical Museum is open  
34 Thursdays from 6:30 P.M. to 8:30 P.M. and Saturdays from 10:00 A.M. to 2:00 P.M.  
35 We have gotten good response to the new expanded history of the City from the 1800's  
36 to today.

37  
38 Mayor Mealor said under Commissioner Lucarelli's report is Resolution No. 904.

39  
40 The City Attorney read Resolution Jo. 904 by title only.

41  
42 Commissioner Lucarelli said Metroplan was asking each city adopt a resolution  
43 supporting quiet zones as they plan as a group to move forward with trying to work out  
44 funding issues so each city can have one.

1 **Motion was made by Commissioner Plank to approve Resolution No. 904,**  
2 **seconded by Deputy Mayor Brender and motion carried unanimously.**  
3

4 Commissioner Lucarelli thanked the Commission for their support and would make sure  
5 the resolution gets presented to Metroplan tomorrow.  
6

7 Commissioner Lucarelli said Lake Mary Relay for Life is coming up April 13 and 14,  
8 2013, at Lake Mary Prep. She said Lisa Starr is heading that up. Everyone is invited to  
9 join the team. It usually starts on Friday night and goes overnight into Saturday but they  
10 are changing it to where it will start Saturday afternoon and go to Sunday morning,  
11 hoping that will be easier for people instead of having to rush there after work.  
12

13 Commissioner Lucarelli on August 26<sup>th</sup> Special Olympics Family Fun Day will be at Lake  
14 Mary High School. There are volunteer opportunities if anyone wants to help set up,  
15 serve food, or play games with participants.  
16

17 Commissioner Lucarelli said the arts festival is coming up in November and we are  
18 adding a lot of new amenities. The Food Truck Crazy group that has done food truck  
19 wars in Altamonte will be doing food trucks. We are trying to get the costs down and  
20 the variety of foods visitors have been asking for. We will have two stages this year.  
21 One is the typical large one that has more kids' performances and a smaller one on the  
22 south end of the park that will be an acoustical stage where we will have some jazz and  
23 blues and more relaxed adult area.  
24

25 Commissioner Lucarelli said today she attended stalking and cyber-stalking at the  
26 Orange County Police Department training facility. It was very eye opening and scary  
27 the ways people can be stalked, traced, followed, ways they can send phone texts and  
28 e-mails. This is part of the stalking initiative that she is helping with the Domestic  
29 Violence Coalition to educate law enforcement not only on the different methods but  
30 how to properly handle and prosecute a case as well as victim advocacy and making  
31 sure they have a safety plan. They did a lot of case study examples today. It was very  
32 informative and she was giving the police chief a copy. There are other training  
33 resources and information that she still has to give him. This is something she hopes  
34 the Commission will support her on. There will be more events and information out in  
35 the future and will keep the Commission apprised of that.  
36

37 Deputy Mayor Brender had no report at this time.  
38

39 D. City Attorney  
40

41 Ms. Reischmann had no report at this time.  
42

43 XI. Adjournment  
44

45 There being no further business the meeting adjourned at 8:17 P.M.  
46

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13

\_\_\_\_\_  
David J. Meador, Mayor

\_\_\_\_\_  
Mary Campbell, Deputy City Clerk

ATTEST:

\_\_\_\_\_  
Carol A. Foster, City Clerk