

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held August
2 22, 2013, 5:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club
3 Road, Lake Mary, Florida.
4

5
6 The work session was called to order by Mayor David Mealor at 5:03 P.M.
7

8 Mayor David Mealor	Jackie Sova, City Manager
9 Commissioner Gary Brender	Carol Foster, City Clerk
10 Commissioner George Duryea	Dianne Holloway, Finance Director
11 Commissioner Allan Plank	John Omana, Community Dev. Dir.
12 Deputy Mayor Jo Ann Lucarelli	Steve Noto, Planner
13	Bruce Paster, Public Works Director
14	Bryan Nipe, Parks & Recreation Dir.
15	Randy Petitt, Human Resources Mgr.
16	Steve Bracknell, Police Chief
17	Craig Haun, Fire Chief
18	Mary Campbell, Deputy City Clerk
19	

20 I. Items for Discussion
21

22 A. Update on reThink and Lynx
23

24 Ms. Sova said we will hear from reThink about the survey information we discussed at
25 Strategic Planning. She introduced Courtney Miller and Nicole Masters of reThink, and
26 Diane Poitras of FDOT.
27

28 Courtney Miller, Program Manager for reThink, came forward and gave an update on
29 the survey (copy attached). She said reThink is a program of the Florida Department of
30 Transportation. She said it's called reThink because we ask people to rethink how they
31 get to work. We will talk about carpools, vanpools, riding the bus, biking, walking—all
32 the options to help people save money, decrease traffic, improve air quality, and
33 conserve natural resources.
34

35 Ms. Miller said staff reached out to us to survey the business communities within Lake
36 Mary with a special target of west of I-4 where there are tons of employees. There are
37 a lot of commute challenges because where you live is not where you work and you
38 spend a lot of money and time just trying to get to work.
39

40 Ms. Miller said the survey started in May and so far have had 534 responses. It is still
41 active because we are actively working with different employers and we intend to grow
42 these numbers, get more data, and see what we learn.
43

44 Ms. Miller said we usually just ask transportation questions but for the sake of what staff
45 was looking for we looked at demographics. The majority is female, age is 40 or older
46 (61%), education is Bachelor's Degree or higher (63%), household income was \$75,000

1 or more, majority is white, and no children in the household for the majority. We asked
2 that question because we talked to a lot of commuters and found that kids make it
3 difficult because of daycare or after school activities which makes it hard to rethink your
4 commute.

5
6 Ms. Miller said 95% of the folks that responded to the survey drive alone to work. To
7 give some perspective, the national trend is 75% drive alone to work.

8
9 Ms. Miller said we asked where people work and 44 businesses were represented and
10 the highest was Hartford Insurance. Pershing is a big one with about 800 folks but also
11 AAA, CSE and AECOM.

12
13 Ms. Miller said they asked which station is closest to your home. With this question was
14 paired the system map so you can get a sense of where it was. A lot of people in Lake
15 Mary are pretty close (about 40%).

16
17 Ms. Miller said they looked at how travel times on SunRail compare to your current
18 commute and how the cost of a SunRail pass compares to your current commute. We
19 provided them with the estimated travel time between station to station and the pass
20 information for SunRail. About 41% said it would be quicker or about the same and
21 cheaper or about the same.

22
23 Ms. Miller said we get people on or off the train here and we asked how people get to
24 their final destination. We have Link 45 and we presented them with a map. We asked
25 if they had ever been on a Lynx bus and 76% said no. Eighty percent didn't even know
26 the service was there. Based on the current service area and knowing there will be at
27 least one bus connection from the SunRail station, we asked would you get on the bus.
28 Seventeen percent said yes but 85% said they cannot because it doesn't go where they
29 work or they will not. We are up against that perception issue when it comes to public
30 transportation.

31
32 Ms. Miller said we talked about cost. We set it up getting people to think how much they
33 pay for gas and tolls each month. Sixty percent spend more than \$100 per month. We
34 asked do you have a car payment and about half said the car is paid off. About 87%
35 said Insurance was at least \$50 a month.

36
37 Ms. Miller said we asked how often people go home from work early. It was interesting
38 because of our emergency ride home. If an unexpected emergency comes up, your
39 carpool partner will not be able to get off work to take you home. We will reimburse for
40 an emergency ride home whether it be a taxi, rental car, or a spouse coming to pick you
41 up. We reimburse up to four times a year up to \$150 each time.

42
43 Ms. Miller said we asked if SunRail was a viable option and 36% said yes. We asked
44 the folks who said no what would it take and 42% want shuttles. They want to be
45 dropped off at the front door. They don't want to get off at International Parkway and
46 have to hike a half mile to get to their door. Discounted passes are also out there and

1 we talked about incentives such as discounts at local businesses. Employers offering a
2 pre-tax benefit is an option on the table where you set aside you own money and can
3 save money at tax time. They can put a little on the table and they get a dollar for dollar
4 tax deduction up to \$245 a month for each person.
5
6 Ms. Miller said we will continue outreach. Nicole Masters has been actively reaching
7 out to employers west of I-4 and the Rinehart area and would be happy to answer
8 questions. We want to know from you what our next steps are. We built on the survey
9 data and were able to tabulate. We are very interested in what we do with this
10 information.
11
12 Mayor Mealor asked Ms. Miller if she had done similar survey data elsewhere.
13
14 Ms. Miller answered affirmatively. We are working with the City of Maitland. We also do
15 site specific surveys.
16
17 Mayor Mealor asked how that data compared with what we just saw as it relates to
18 willingness to utilize SunRail and/or Lynx or a shuttle service.
19
20 Ms. Miller said that 60/40 split is replicated in many of these surveys. The Maitland one
21 is still open and we have one open with the Winter Park Chamber of Commerce and
22 was seeing that 60/40 split a lot and that is 40% will ride. Shuttles have a distinct
23 image. They want a hired driver to give personalized service and higher level
24 experience than a bus. We see that replicated in all the different communities and work
25 sites.
26
27 Commissioner Plank asked if this was strictly a survey of businesses.
28
29 Ms. Miller answered affirmatively.
30
31 Commissioner Plank asked if there were plans to survey residents to find out who
32 doesn't work in Lake Mary and if they would use SunRail.
33
34 Ms. Miller said city staff has been thinking along those lines. We have that open and
35 have 300 responses so far. Two hundred fifty were on line and 50 from a WineArt
36 event. We heard a lot from the people who live in the area. We will be at other
37 community events such as the Farmer's Market to get more info.
38
39 Commissioner Brender asked what surprised them the most.
40
41 Ms. Miller said how many people live really close. Forty percent of the trips people
42 make are two miles or less and 90% of those trips are by car. When you talk to people
43 you can ask them questions.
44
45 Commissioner Brender said we are looking at 40,000 people in Heathrow going to work.
46 He asked Ms. Miller the comeback rate and how many she would expect.

1
2 Ms. Miller said the survey wasn't statistically accurate. We didn't do a proper sampling
3 and these were people coming to us. She said maybe 1%. We look at national trends
4 and the number of people using public transportation anywhere. It is a smaller number
5 but is a number she can handle because it will be less seed money to get a shuttle
6 going. We can start small. Small sometimes means affordable.
7
8 Commissioner Brender said we could be looking at 400 to 500 people that would show
9 up at SunRail trying to get over to Heathrow.
10
11 Ms. Miller said if we can educate them to be begin with that that seat is available.
12
13 Commissioner Brender said they are not interested in hiking across that quarter mile
14 parking lot to the door—they want the door.
15
16 Mayor Meador said Ms. Miller was saying they weren't surprised at the 40/60 split but we
17 are seeing it somewhat consistently. He said he had not taken field trips to other
18 venues where there have been success stories. He asked Ms. Miller if their entry point
19 mirrored what she was seeing right now.
20
21 Ms. Miller said she would do some research and find out. We hear the success stories
22 but was it instantly a success.
23
24 Mayor Meador said we are making a significant investment on an activity that we plan to
25 be successful. While some data may be discouraging as presented this evening, it may
26 be anticipatory and better outcomes expected down the road once something is in
27 place. He said if she could share through staff or the City Manager would be
28 appreciated.
29
30 Ms. Sova said next up is Lynx.
31
32 Michael Knispel, Service Planner with Lynx, came forward. He said Stewart Boggs was
33 requested on other business by the CEO. Several months back staff contacted Lynx on
34 how we thought we could best serve the Lake Mary community once SunRail goes live.
35 It was twofold question because you are going to have the large business centers and a
36 lot of people coming into Lake Mary to go to work and you have a large residential
37 population going to work. We are hoping they take the SunRail. The City is making a
38 large investment in the transit mode.
39
40 Mr. Knispel said currently Lake Mary service is one route. It is Link 45 that runs from
41 the Walmart Center on 17-92 to Seminole State College with a little dog leg that goes
42 down to the former Workforce of Central Florida. We have hourly service for 14-3/4
43 hours a day so it's not a service you want to rely upon to get you where you need to go.
44
45 Mr. Knispel said we have quite a few stops with average ridership of 10 to 20 people per
46 day. Near Seminole State there is a housing complex east of the tracks and shopping

1 plazas on Rinehart and near Lake Emma Road. There is a major apartment complex
2 where we get a lot of ridership on Lake Emma at Sand Pond Road. Those are our
3 major concentrations of riders. Most of those are transit dependent. We don't carry
4 those people that have options because of the nature of the service they choose to take
5 their cars.
6

7 Mr. Knispel said there are a lot of things coming up in the future: SunRail, I-4
8 construction, certain demographic changes, Verizon call center, more people moving
9 into the area, there is expansion all over Seminole County, so the need for transit is
10 going to increase because the roads can't handle the capacity.
11

12 Mr. Knispel said some of the assumptions we make when considering new routes and
13 services is future services are not currently budgeted. Lynx gets a stipend to keep
14 services operating at a bare minimum to serve people we currently serve. We are not
15 expected to go further whether or not the need or desire is there. A lot of our future
16 services are based on land use and demographic patterns. We have had quite a few
17 studies done over the last few years. We had a short range plan done. Our Lynx 2030
18 was completed a couple of years ago. We are in the second year of our new TVP, and
19 we are in the process of having the comprehensive operations analysis done and will
20 have new recommendations on service standards.
21

22 Mr. Knispel said what we are looking at for the future consists of Link 45 being extended
23 west to Ronald Reagan Boulevard, Sanford and Maitland past the Educational
24 Leadership Center which would be a new employment center we would begin serving
25 and also extend it north to Heathrow at 46A and International Parkway to help better
26 serve the business corridor on International Parkway. We are also proposing an
27 extension of our 46W route that starts in Sanford to extend it to the Lake Emma Loop to
28 streamline Link 45 to get people from SunRail to the International Corridor where they
29 would be going to work.
30

31 Mr. Knispel said one of his favorite recommendations is the circulator/Neighbor Link
32 combination. It is a new hybrid service that Lynx would offer to Lake Mary. In the
33 morning hours between 6:00 and 9:00 you would have a circulator that starts at SunRail
34 and would operate in a counterclockwise direction to get people from SunRail to the
35 business corridor on Primera Boulevard and the Sand Pond Road Loop. It would then
36 begin serving the residential areas to get people to the SunRail station. That would
37 operate four hours in the morning and four hours in the afternoon in a clockwise
38 direction to get people from SunRail to their houses and then pick up in the business
39 districts and get them back to SunRail so they can go home. During the day that same
40 bus would operate as the Neighbor Link service where people would call two hours
41 ahead and get picked up and dropped off anywhere within the defined geographic area
42 on the map. We will have the subscription based service if somebody on a regular
43 basis goes from their home on Country Club Road and they need to go to Panera Bread
44 they can have that subscription set up every day to get to work and get home.
45

1 Mr. Knispel showed recommendations that are coming out of their comprehensive
2 operations analysis of how the service in Sanford would look. We wanted to include this
3 to give a picture of how service in Lake Mary would tie into service in Sanford. We
4 would connect you to Sanford service at the SunRail station and at a new transfer
5 center which would be created as a result of our Link 46E, a new route 109, and the
6 Link 45. You would have comprehensive service throughout the area that would get
7 people to SunRail, to the employment districts, and also function as a shuttle for folks
8 who need to go to medical appointments and employment during the day in the general
9 Lake Mary area.

10
11 Mr. Knispel said nothing goes without a cost. The Link 45 currently operates six days a
12 week for 14-3/4 hours. This would increase the amount of hours we operate and the
13 costs associated with it annually. The circulator/Neighbor Link would operate for less
14 hours because it is only operating 30 minutes in the morning, 30 minutes in the
15 afternoon, and then hourly during the day. On Saturday it would operate as a Neighbor
16 Link service to get people back and forth and allow them access to areas that they can't
17 get to because of the nature of the road network. Combined services in Fiscal Year '14
18 would be \$1 million and \$1.33 in Fiscal Year '15.

19
20 Commissioner Brender asked what is ridership was like now. He asked if there was a
21 daily rate.

22
23 Mr. Knispel said there was an average ridership for Link 45 but did not have that with
24 him but could get it to staff in the morning.

25
26 Commissioner Duryea asked the time it takes to go from the SunRail station up to the
27 business center or Primera on the circulator.

28
29 Mr. Knispel said it shouldn't take more than 10 to 15 minutes to get them from the
30 SunRail station to Primera Boulevard.

31
32 Commissioner Duryea said there were no other stops.

33
34 Mr. Knispel said it would operate as an express on that corridor. It would not stop for
35 pickups. It would stop for drop-offs. The nature of the service the way it was designed
36 is that anybody who wanted to get on the vehicle to go to SunRail would either get on
37 Link 45 traveling in the eastbound direction or get on the circulator on the opposite end
38 of the circle when it is going down Lake Emma.

39
40 Commissioner Brender asked if there was survey data that tells you if this proposal
41 goes forward you would have some amount of ridership.

42
43 Mr. Knispel said we know the existing ridership is there. Is there a latent amount? We
44 are sure there is but the amount we don't know. With our COA there is the possibility
45 they did surveys in that area to find out where people want to go but that hasn't been
46 released to us yet.

1
2 Commissioner Plank asked if the \$1 million mentioned was inclusive of the current Link
3 45 service or is that in addition to.
4
5 Mr. Knispel said it was inclusive. The Link 45 would be extended and the whole
6 package is being included in this so it would be from beginning to end in between Lake
7 Mary Road and Ronald Regan and the Verizon call center.
8
9 Commissioner Brender asked the time from Ronald Reagan to the Verizon call center.
10
11 Mr. Knispel said approximately 45 minutes with stops and morning traffic. From
12 SunRail to the end of the line would take 20 to 25 minutes.
13
14 Commissioner Brender said that would be the regular Link 45 and would be stopping at
15 those five or six stops on Lake Mary Boulevard.
16
17 Mr. Knispel said that was correct.
18
19 Ms. Sova asked the projected start date for these rearranged routes.
20
21 Mr. Knispel said pretty much at your will. We do service changes three times a year in
22 December, April and August. We are projecting to implement some significant changes
23 to serve SunRail. The current Link 45 alignment concluded in April. Without these
24 changes mentioned, the current Link 45 will be deviated to go into the SunRail station
25 and come out as part of the package we are putting together for SunRail It wouldn't be
26 extended and the frequency would only be during peak periods when SunRail is in
27 operation.
28
29 Ms. Sova said she knew SunRail is contributing additional buses for each of the stops.
30 She asked if they were subsidizing any costs for any period of time.
31
32 Mr. Knispel said that was not his area of expertise and could not answer that question.
33 They are contributing to some of our operational expenses for some of the extensions
34 but how significant those contributions are he couldn't say.
35
36 Commissioner Brender said through current funding that you have you plan to include
37 the SunRail station into link 45 at your current "whatever" that is being paid now.
38
39 Mr. Knispel said that is going to be one of SunRail's contributions. The initial concept
40 was for it to serve Lake Mary on Country Club Road but in discussion with staff it has
41 been altered to have it go up Palmetto and serve the station and then come back down.
42
43 Mayor Mealor relinquished the gavel to Deputy Mayor Lucarelli at this time (5:37 P.M.)
44 and left the meeting.
45

1 Ms. Sova said in your timing in the analysis, in particular drop-offs and pick-ups on
2 International Parkway, she asked Mr. Knispel if he knew how many planned stops you
3 have and where they are planning the stops because there are a couple of businesses
4 that are much larger than the Verizon Center of Excellence. There are a lot of big
5 buildings along that stretch of road with a lot of employees.

6
7 Mr. Knispel said we are engaged in having a comprehensive operating analysis
8 performed and are going to receive new service standards and some of those standards
9 are going to be bus stop placement and the distance between bus stops in different
10 corridors. It may result having extra bus stops on International Parkway. It could also
11 wind up having some stops removed from the Lake Mary corridor to improve operational
12 efficiencies.

13
14 Ms. Sova asked the timetable to have that information.

15
16 Mr. Knispel said he could have that information along with the ridership in the morning.

17
18 Ms. Miller said that million dollar number is shocking and asked to give some
19 information on a more economical middle ground. Lynx has a vanpool program that
20 traditionally is for longer commutes for folks going 20+ miles each way to work. They
21 lease a vehicle directly from Lynx, the group drives it, and they set their own schedule
22 and route. They go where they need to go when they need to go there. The rate for a
23 10 passenger is \$510 a month. It is a new vehicle and includes maintenance,
24 insurance, roadside assistance. The group splits the cost of gas and tolls.

25
26 Ms. Miller said here is something Lynx can do and is in between vanpooling and private
27 shuttles. You use a vanpool vehicle and is an alternative to the agency van. Instead of
28 one trip in the morning and one trip in the afternoon you do multiple trips. It is \$525 a
29 month but doesn't include insurance because multiple trips mean more chances of
30 something happening. Lynx is working on a bundled package and for about \$700 a
31 month you get that vehicle, insurance, maintenance, and roadside assistance. That
32 commuter group coordinates it. Starting small means more economical and
33 manageable and maybe that's how we get a sense of who would ride in a future
34 circulator and future express bus and fill the gap in the meantime.

35
36 Mr. Knispel said that million dollar price tag comes with enhanced frequency. You are
37 looking at a 30-minute frequency on a corridor that currently receives a 60-minute
38 frequency. It improves the picture all around.

39
40 Commissioner Plank said the 30-minute was only a portion of the day.

41
42 Mr. Knispel said if this proposal is ignored then SunRail picks up the tab for 30-minute
43 frequency in the AM peak and PM peak. This is not inclusive of any contributions
44 SunRail would make. The cost of operating the service would be the number we
45 presented absent any SunRail contributions.

1 Commissioner Brender asked how much Seminole County was paying for Link 45 now.
2
3 Mr. Knispel said he didn't know but guessed around \$300,000 for the current level of
4 service.
5
6 Mr. Noto said the reThink survey validated all the work that's gone into planning the City
7 over the years and how many people live here and work here. It sums up the work, live,
8 and play.
9
10 Commissioner Plank said it appears with that kind of percentage being local he thought
11 it is very important to get comparative figures. We have seven years before we have to
12 pay the bill. We need to get the numbers for who lives here but works elsewhere and
13 who lives elsewhere but works here. That appears to be our primary market for SunRail
14 and the connections.
15
16 Ms. Miller said we will pull additional data. To tag along on live, work and play, that is
17 fantastic and is what the change in demographics want. If everyone is doing those
18 things in a car it is still traffic, air quality, and affects quality of life.
19
20 There being no further business, the work session adjourned at 5:47 P.M.
21

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held August 22, 2013,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

4
5
6 I. Call to Order

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

9
10 II. Moment of Silence

11
12 III. Pledge of Allegiance

13
14 IV. Roll Call

15		
16	Mayor David Mealor	Jackie Sova, City Manager
17	Commissioner Gary Brender	Carol Foster, City Clerk
18	Commissioner George Duryea	Dianne Holloway, Finance Director
19	Commissioner Allan Plank	John Omana, Community Dev. Dir.
20	Deputy Mayor Jo Ann Lucarelli	Bruce Paster, Public Works Director
21		Bryan Nipe, Parks & Recreation Dir.
22		Randy Petitt, Human Resources Mgr.
23		Steve Bracknell, Police Chief
24		Bruce Fleming, Sr. Code Enf. Off.
25		Craig Haun, Fire Chief
26		Katie Reischmann, City Attorney
27		Mary Campbell, Deputy City Clerk
28		

29 V. Approval of Minutes: August 8, 2013

30
31 **Motion was made by Commissioner Brender to approve the minutes of the**
32 **August 8, 2013, meeting, seconded by Deputy Mayor Lucarelli and motion carried**
33 **unanimously.**

34
35 Mayor Mealor recognized students from the University of Central Florida's College of
36 Nursing. Any group is welcome here and if there is any way the City Commission or
37 City Manager may be helpful do not hesitate to contact us.

38
39 VI. Special Presentations

40
41 A. Certificate of Recognition presented to Deputy Mayor Jo Ann Lucarelli on
42 behalf of the Florida League of Cities

43
44 Mayor Mealor said this Certificate of Recognition is presented to Deputy Mayor Jo Ann
45 Lucarelli on behalf of the Florida League of Cities. We are honored that representing

1 the Florida League of Cities is a fellow colleague from the City of Apopka, Ms. Kathy
2 Till.

3
4 Kathy Till said she was present on behalf of the Florida League of Cities. She
5 recognized Jackie Sova who attended their round table this afternoon with State
6 Representative Mike Clellan. We had a good productive meeting. She said Ms. Sova
7 has been very involved in those meetings and thanked her for her participation.

8
9 Ms. Till said about a year ago the League asked her to lead a pilot project where we
10 developed a team of advocates in the tri-county region. This project is based on a
11 model by the League of California cities that is similar in size and demographics to the
12 State of Florida. It is a program they have had for many years and it has been very
13 successful, and the League decided it was time to start doing that in the State of
14 Florida. We work with a group of local elected officials and they become our team of
15 advocates to work with our state legislators. Part of what they do is help create
16 strategies and to build relationships with those legislators. When called up they make
17 the phone calls, send out the e-mails, they go to meetings, attend round tables, and are
18 very involved in the advocacy process. We have been focusing on building those
19 relationships so when the legislators go to Tallahassee that the decisions they make are
20 informed decisions and they know the impact they will have on the local communities.
21 We also do that so when one of our team members needs to reach out to the legislators
22 they know them very well and they can call them and those phone calls are accepted
23 and responded to and we get the ear of the Legislature.

24
25 Ms. Till said Deputy Mayor Lucarelli has been involved in this project since its inception.
26 She has been an integral part of helping us develop those strategies as well as being on
27 call to respond to the call to action when we needed her. Yesterday she presented
28 them with a fantastic idea which they are going to implement and that is we are going to
29 have a virtual brown bag lunch. We are doing that in response to our annual
30 conference that the League just had. We couldn't get to all the workshops so we
31 divided and conquered and everybody went to different workshops. Her
32 recommendation is that each of us share what we learned with the rest of the team.

33
34 Ms. Till presented to Deputy Mayor Jo Ann Lucarelli a plaque on behalf of the Florida
35 League of City to recognize her excellence in advocacy for the past year. We look
36 forward to working with her in the coming years. Ms. Till read the plaque:

37
38 Certificate of Advocacy Excellence presented by the Florida League of
39 Cities to Deputy Mayor Jo Ann Lucarelli, City of Lake Mary Tri-County
40 Advocacy Team member, in honor of your excellence in exemplifying the
41 highest standard advocacy service in the fight for home rule, the Florida
42 League of Cities thanks you for your service and continue support.

43
44 Ms. Till said the plaque was signed by the current president, P.C. Wu, council member
45 from the City of Pensacola.

1 VII. Unfinished Business

2
3 A. Ordinance No. 1491 – Amending Police Officers’ Retirement System –
4 Second Reading (Public Hearing) (Jackie Sova, City Manager)

5
6 The City Attorney read Ordinance No. 1491 by title only on second reading.

7
8 Ms. Sova said this action will bring the plan into compliance with the Internal Revenue
9 Code and also delete the words “administered by national or state bank” in the
10 investment section so that it can provide some investment flexibility for the plan.

11
12 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1491. No
13 one came forward and the public hearing was closed.

14
15 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1491 on**
16 **second reading, seconded by Commissioner Brender and motion carried by roll-**
17 **call vote: Commissioner Brender, Yes; Commissioner Duryea, Yes;**
18 **Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor Mealor, Yes.**

19
20 B. Ordinance No. 1492 – Amending Firefighters’ Retirement System – Second
21 Reading (Public Hearing) (Jackie Sova, City Manager)

22
23 The City Attorney read Ordinance No. 1492 by title only on second reading.

24
25 Ms. Sova said this changes the Firefighters’ Pension Plan to be in compliance with the
26 Internal Revenue Code and delete the words “administered by national or state bank” to
27 the investment section for flexibility to the plan.

28
29 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1492. No
30 one came forward and the public hearing was closed.

31
32 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1492 on**
33 **second reading, seconded by Commissioner Brender and motion carried by roll-**
34 **call vote: Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor**
35 **Lucarelli, Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**

36
37 C. Ordinance No. 1493 – Amending Chapter 150, Appendix C, Stormwater
38 Management, providing for clarification of stormwater management fee billing
39 methodology – Second Reading (Public Hearing) (Jackie Sova, City
40 Manager)

41
42 The City Attorney read Ordinance No. 1493 by title only on second reading.

43
44 Ms. Sova said this brings the ordinance into compliance with our current billing and
45 provides for additional definitions of items that we do bill.

1 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1493. No
2 one came forward and the public hearing was closed.

3
4 **Motion was made by Commissioner Plank to approve Ordinance No. 1493 on**
5 **second reading, seconded by Commissioner Brender and motion carried by roll-**
6 **call vote: Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Commissioner**
7 **Brender, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**

8
9 VIII. New Business

- 10
11 A. Ordinance No. 1494 – Amending Sections 30.39, 91.70, 91.74, and 91.78 of
12 the Code of Ordinances regarding code enforcement liens and Property
13 Maintenance Code – First Reading (Public Hearing) (Bruce Fleming, Sr. Code
14 Enforcement Officer)

15
16 The City Attorney read Ordinance No. 1494 by title only on first reading.

17
18 Bruce Fleming, Sr. Code Enforcement Officer, came forward. Recently the Florida
19 Supreme Court held a ruling that invalidated municipal and county code enforcement
20 liens with provisions that rendered the lien co-equal or superior to all other liens. That
21 proposes amending Sections 30.39, 91.70, 91.74, and 91.78 and removing the wording
22 that our ordinance has that gives our code enforcement liens superiority over other
23 liens.

24
25 Mr. Fleming gave some history of what transpired and the court's thinking and decision
26 making process as it relates to this particular provision for this aspect of our code. It
27 involved the City of Palm Bay versus Wells Fargo, a mortgage company. It was for a
28 foreclosed property. After years of dealing with code enforcement issues that were
29 associated with the property, a code enforcement board found that the property owners,
30 including the bank, had violated the code of ordinances and thereby established a
31 municipal lien against the property. At the conclusion of the foreclosure, Wells Fargo
32 Bank contested the city's position as it relates to the code enforcement lien being co-
33 equal to the mortgage on the property. They filed an appeal of that provision to the
34 Supreme Court. The Supreme Court heard the arguments from the city as well as the
35 mortgage company, and in this particular case the Supreme Court struck down all
36 provisions that related to code enforcement whereby a code enforcement lien was
37 considered or classed as co-equal to a mortgage.

38
39 Mr. Fleming said basically they went under the concept of first in first out. If the code
40 enforcement lien pre-dates the establishment of a mortgage on a property then it can
41 remain as superior. However, if a mortgage is on a property and a code enforcement
42 lien comes subsequently then that code enforcement lien cannot be classified as co-
43 equal. With that the Lake Mary Code of Ordinances that were cited contained that
44 provision making the code enforcement liens in Lake Mary co-equal to all state, county,
45 municipal tax liens and superior in dignity to all other liens until paid. Consistent with

1 Supreme Court ruling and determination, these sections of the Code of Ordinances
2 should be amended to reflect the court's ruling by removing the co-equal provision.

3
4 Mr. Fleming said staff requests that the Commission adopt the entire International
5 Property Maintenance Code. About a year ago, staff had requested and was approved
6 to adopt Chapter 1 of the International Property Maintenance Code. Since that time a
7 review of the provisions of the International Property Maintenance Code as it relates to
8 the Lake Mary Property Maintenance Code. We have determined that it is in the best
9 interest of the health, safety and welfare of the residents of Lake Mary and to ensure
10 that structures are safe, sanitary, and fit to occupy and use, we should adopt the
11 International Property Maintenance Code. It is a stricter standard that we would like to
12 be in place for the City of Lake Mary.

13
14 Mr. Fleming said we would like to amend Section 91.78(A) of the Code of Ordinances to
15 provide that notices that are required in code enforcement matters or in accordance with
16 Florida Statute 162.12, as it may be amended from time to time, and 91.78 of the Code
17 be amended that the notice has to go the name and address of the property owner
18 according to the records of the county tax collector or to any other address provided by
19 the property owner, in writing, to the local government for the purpose of receiving
20 notices, and 91.78(C) requiring the property owners remedy, correct, or remove a
21 violation within ten days. Currently our ordinance allows 15 days for things like cutting
22 grass or removing debris, junk and trash. We would like to be more consistent with the
23 ordinance and require that it be removed within ten days. There is already a portion of
24 our Property Maintenance Code whereby a mortgage company is required to register a
25 vacant, abandoned, or foreclosed property with the city clerk's office within ten days. In
26 order to build consistency, we propose that we have the same provision for the
27 requirement of removing the violations.

28
29 Commissioner Brender asked if the Supreme Court took home rule and gave it a heave-
30 ho.

31
32 Ms. Reischmann answered affirmatively and many cities filed a Friends of the Court as
33 her firm and the League of Cities did. The court said what the cities had done was
34 against state law. There is nothing in 162 which is the statute on code enforcement.

35
36 Commissioner Brender asked Mr. Fleming if he sensed this would make any major
37 difference in how we operate.

38
39 Mr. Fleming answered negatively. The enforcement protocol shall remain consistent
40 with how it has always been. The only area of concern as it relates to the Supreme
41 Court's decision is when dealing with a foreclosed property and establishing a lien and
42 as a lien begins to build, at the foreclosure that lien is wiped out. That is an area of
43 concern, that is an area that we in my profession are hopeful the Legislature will
44 address at some point in the future but going forward from this point, we will continue to
45 enforce the code the same way we always have.

1 Commissioner Brender asked if this was something we should be looking at the
2 Legislature to fix.

3
4 Ms. Reischmann said in actuality there is a fix that happens by virtue of the fact that the
5 title companies don't want to issue title policies when there is a code lien even if the
6 final judgment wipes it clean because it is still sitting there. Cities frequently have title
7 companies calling to ask for a release of lien and at that point you can say why do you
8 need a release of lien if you have all these wonderful legal protections and then they will
9 say because we aren't totally satisfied with the final judgment of foreclosure wiping out
10 our code lien. At that point you can negotiate to get the property brought into
11 compliance or get some payment on the code lien.

12
13 Commissioner Plank asked if the title companies were under a legal obligation to do
14 that or is it they just want everything to be neat.

15
16 Ms. Reischmann said they don't want to have to insure a title that has a code lien on it
17 even if the final judgment supposedly wiped it out.

18
19 Commissioner Plan said once we go into foreclosure the City Manager has the ability to
20 negotiation adjustments on liens that we have. If we refuse to make an adjustment then
21 legally that doesn't preclude the title company from proceeding under the change.

22
23 Ms. Reischmann said the title company doesn't want to issue the title policy if they think
24 there might be a claim from the city at some point in the future because of the lien. The
25 title company is always going to have that concern. They can write a title policy with an
26 exception for the city's code lien but who wants to get a title policy that has an exception
27 for a \$100,000 code lien.

28
29 Commissioner Plank asked Ms. Reischmann if she felt we still had leverage.

30
31 Ms. Reischmann answered affirmatively.

32
33 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1494. No
34 one came forward and the public hearing was closed.

35
36 Commissioner Brender asked if the International Property Maintenance Code was a
37 stricter code than our current code and what are we signing into and are we signing out
38 to any kind of organization any kind of authority.

39
40 Mr. Fleming said the way we intend for it to work is that we will continue to administer
41 the Lake Mary Property Maintenance Code. In rare cases with exceptional difficulties
42 we will invoke and use the International Property Maintenance Code. There are sterner
43 portions of the International Property Maintenance Code that deal with the items that the
44 Lake Mary Property Maintenance Code does not deal with. We want to be able when
45 deemed necessary and appropriate have that as an additional tool to deal with issues
46 we go through in dealing with these code enforcement issues.

1
2 Commissioner Brender said it becomes a tool for us but we are not assigning any kind
3 of authority to an organization outside the City.

4
5 Mr. Fleming said absolutely not.

6
7 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1494 on**
8 **first reading, seconded by Commissioner Brender and motion carried by roll-call**
9 **vote: Deputy Mayor Lucarelli, Yes; Commissioner Brender, Yes; Commissioner**
10 **Duryea, Yes; Commissioner Plank, Yes; Mayor Mealor, Yes.**

11
12 B. Interlocal Agreement between Seminole County and the City of Lake Mary
13 relating to Jurisdictional Transfer of Roads: Pine Bay Drive, Cypress Knee
14 Lane, Palm Crest Lane, and Emma Oaks Trail (Bruce Paster, Public Works
15 Director)

16
17 Ms. Sova said several years ago when we annexed Huntington Phase 4 into the City we
18 did not take the roads with that. From time to time that has caused some confusion and
19 conflict as to who is going to handle the potholes, street cleanings and things like that.
20 We would like to agree to accept those roads: Pine Bay Drive, Cypress Knee Lane, and
21 Palm Crest Lane. Emma Oaks Trail falls wholly within our city limits and we would like
22 to have that roadway transferred to the City as well. What would come with that is
23 \$180,600 for a sidewalk that the County has already committed and designed. We
24 have subsequently gotten from Duke Energy approval that will allow us to put the
25 sidewalk there. There are some power lines overhead.

26
27 Ms. Sova said additionally to all of this there is a stormwater outfall system known as
28 Myrtle Lake Hills Outfall along and beneath Emma Oaks Trail. The County wishes to
29 continue to manage that. If this is approved they will draw up the easement for them to
30 continue to maintain that.

31
32 **Motion was made by Deputy Mayor Lucarelli to authorize the Mayor to execute**
33 **the Interlocal Agreement between Seminole County and the City of Lake Mary**
34 **relating to Jurisdictional Transfer of Roads for Pine Bay Drive, Cypress Knee**
35 **Lane, Palm Crest Lane, and Emma Oaks Trail. Seconded by Commissioner Plank**
36 **and motion carried by roll-call vote: Commissioner Brender, Yes; Commissioner**
37 **Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor**
38 **Mealor, Yes.**

39
40 IX. Other Items for Commission Action

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

43
44 X. Citizen Participation

45
46 No one came forward at this time and citizen participation was closed.

1
2 XI. City Manager's Report

3
4 1. Transit Oriented Development (TOD) Sewer Improvements

5
6 Ms. Sova said this item is related to transit oriented development sewer improvements.
7 We are looking to design a system in the area of Palmetto east of the railroad tracks
8 and north of the Boulevard. We need to get this design done and have it shovel ready.
9 We are not intending to build the entire system at this point but we have previously
10 allowed for the sleeve under the tracks, we are looking to get the lift station location
11 handled, and this is all part of our future in the TOD area. We are looking for approval
12 for design with Inwood for \$44,446.

13
14 Commissioner Brender said in the end this will essentially sewer all the way out to the
15 city limits in that section.

16
17 Ms. Sova said that was correct.

18
19 **Motion was made by Commissioner Brender to authorize the City Manager to**
20 **enter into an agreement with Inwood Consulting Engineers for the Lake Mary**
21 **Boulevard sewer design in an amount not to exceed \$44,446, seconded by Deputy**
22 **Mayor Lucarelli and motion carried unanimously.**

23
24 2. Central Park Event Request for Food Trucks

25
26 Ms. Sova said this is a request for food trucks in Central Park at an event. Ms. Renee
27 Rose Currier of Altamonte Springs has submitted an event permit for Kidcentric Orlando
28 on Sunday, September 22, 2013. The permit has been approved and includes the
29 rental of the gazebo and the use of City Hall rest rooms. She has subsequent to that
30 asked for two food trucks. According to our code the food trucks have to be 750 feet
31 from restaurants and it doesn't make reference to public or city-owned areas. We have
32 only allowed food trucks here at this point at our own events and not for other events.
33 We are requesting Commission direction.

34
35 Deputy Mayor Lucarelli said she didn't object.

36
37 Ms. Sova said this out of our permissions at this point.

38
39 Commissioner Brender said if we allow this one and 4th Street, Flippers shut down, he
40 asked if there was a limit and how do we do that.

41
42 Ms. Sova said therein lies our question. This is only for two and they are specialty
43 foods related to this special event.

44
45 Mr. Nipe said we don't get too many requests from individuals to have privately-run
46 events with food trucks. As a privately-run event he was not so sure it's going to garner

1 the interest that will actually make something like this profitable for the food trucks. His
2 suggestion was to allow this one to go forward and see how it goes and if it becomes
3 problematic in the future where we have more and more privately-run events that start
4 to compete with the restaurants then we will reel it back in. Currently there is no rule in
5 place as it relates to food trucks on publicly or city-owned land within the city limits.
6

7 Commissioner Brender thought we should propose that we allow this one, and only this
8 one, and see how it works and then let the Commission take action on any future
9 request. We can always say this is getting ridiculous so let's shut it down.

10
11 Commissioner Plank said he had no problem with letting this one run and see what
12 happens.

13
14 Mayor Mealor said the request is for an experimental trial run.

15
16 **Motion was made by Commissioner Brender to allow two food trucks for the**
17 **Kidcentric Orlando event on September 22, 2013, for an experimental trial run,**
18 **seconded by Deputy Mayor Lucarelli and motion carried unanimously.**

19
20 3. Surplus of Unit #2251 – 2010 Marked Chevy Impala Police Sedan

21
22 Ms. Sova said this a request to surplus Unit #2251 which is a 2010 marked Chevy
23 Impala police sedan. It was in a serious accident and we want it to come out of the
24 fleet. She asked the Commission to declare Unit #2251 surplus and allow her to
25 dispose of.

26
27 Ms. Sova said to replace this we will be getting our very first police Explorer Interceptor
28 SUV.

29
30 **Motion was made by Commissioner Plank to declare Unit #2251 surplus and**
31 **authorize the City Manager to dispose of, seconded by Commissioner Brender**
32 **and motion carried unanimously.**

33
34 Ms. Sova said today our Police Department participated in Kicks 4 Guns hosted by the
35 City of Sanford and also participating with the City of Altamonte Springs. As of 3:00
36 they had taken in a total of 861, 7 of them stolen and 39 of them illegal. That was a
37 great effort on their part and she applauded them for that.

38
39 Ms. Sova said all non-emergency offices will be closed on Monday, September 2nd, in
40 observance of Labor Day. Waste Management will not collect solid waste or recycling
41 on the holiday but will have a makeup day the preceding Saturday, August 31st for those
42 with a normal Monday collection.

43
44 Ms. Sova said the Parks & Recreation Department will hold a free bike/skate day at the
45 skate park on Saturday, September 7th, from noon to 9:00 P.M. You can ride your BMX

1 bike from noon until 2:00 P.M. and then skateboards, scooters, and skates from 2:00
2 P.M. to 9:00 P.M.

3
4 Ms. Sova said as a matter of information the Board of Adjustment has changed its
5 meeting times from 7:00 P.M. to 6:00 P.M.

6
7 Ms. Sova said if the Commission had no objection she was going to allow non-
8 emergency personnel to use accrued leave time to take the day before Christmas and
9 the day before New Year's off so we can have extended holidays and close the building.

10
11 There were no objections from the Board.

12
13 XII. Mayor and Commissioners Reports (2)

14
15 Mayor Meador said we are now in the second week of the opening of school and thought
16 it was a smooth transition. He appreciated the public safety department in a proactive
17 manner conditioning the community as to what to expect. We were very fortunate that
18 the Superintendent extended an invitation to him and the Mayor of Sanford and took
19 part in the opening ceremonies.

20
21 Mayor Meador said Leadership Seminole has been meeting and Government Day will be
22 September 6th. A number of our team participate in that and he thanked them for giving
23 their time. That is a very important program and is a great opportunity for those 53
24 students to be exposed to what goes on in this county that is rather effective.

25
26 Mayor Meador said this week we had the Mayors/Managers meeting and the Chairman
27 of the County Commission gave an update on several items. It was hosted by the
28 airport. As he was in the Vigilante Room he reflected back on the impact that the Navy
29 has had in this community. The Vigilante and aircraft that's memorialized at the Sanford
30 Orlando International Airport is significant aircraft in that it changed all of military and
31 civilian aviation. It was a plane ahead of its time and to be that room was very
32 meaningful. We were reminded that the airport has a \$2.53 billion annual impact on our
33 community and region.

34
35 Commissioner Duryea had no report at this time.

36
37 Commissioner Plank said he had the pleasure of attending the Private Business
38 Association of Seminole County meeting last week. They had a very good speaker on
39 what's going to happen on I-4. He said hoped they were not a frequent user of I-4 is the
40 only thing he could preface this with. Construction will begin in the Fall of 2014.
41 SunRail is scheduled to start operating in the Spring of 2014 so we have a small
42 window there. It will affect the area from State Road 434 to Kirkman initially, which is a
43 21-mile segment. It will involve the construction of 57 new bridges, 81 bridges that will
44 either be replaced or modified, and reconstruction of 15 major intersections along I-4. It
45 will be two lanes down the center, one in each direction. They are not going to be
46 reversible lanes as they have in some other states. The project is the first—and we

1 hope successful—private/public endeavor. The persons that successfully get the
2 contract will also be the concessionaire and operate and maintain the toll lanes for a
3 given period of time once construction is finished. The project will take six years to
4 complete if it is done on schedule. The good news is we have SunRail coming in the
5 Spring of 2014, and we have an incentive for people as an alternative for using I-4. The
6 bad news is there is going to be a lot of construction on I-4 for a six-year period.

7
8 Commissioner Plank said the Historical Society asked him to thank the Commission for
9 giving them permission to serve wine at their art reception. It went over very well. We
10 were officially at capacity, the limit of the space in the building that the Fire Marshal is
11 happy with. It was a huge success and everybody had a good time. It is part of their
12 new program to bring the community more involvement with what has already been a
13 great increase in the museum. He urged everyone to go to the museum. The art
14 exhibit is still there.

15
16 Deputy Mayor Lucarelli said she attended the League of Cities annual conference. One
17 of the sessions she attended was Economic Development and Growth Management.
18 She will make sure to get the City Manager a copy of her notes to pass around. They
19 went over a lot of bills that passed or didn't pass.

20
21 **SIDE 2B**
22

23 Deputy Mayor Lucarelli said they were reinforcing Home Rule and they will want our
24 help to get the word out to our citizens and educate them on what that means because
25 most people don't understand what it means, and how it will impact them personally if it
26 goes away.

27
28 Deputy Mayor Lucarelli said Rotary is doing a Champions Ride for Charities to benefit a
29 couple of local charities in the area. There is a 10-mile ride, a 33-mile ride, a 66 and
30 100-mile. It's not a race and you can go at your own pace. The money goes to a
31 couple of local charities that they are supporting. It is Saturday, September 8th off
32 International Parkway in the AAA area. The website is
33 www.championsrideforcharities.com. Class 21 is trying to get a good showing up there;
34 if not in the ride then at the finish line with cold beverages.

35
36 Mayor Mealor said that weekend will be nice in terms of some of our Seminole County
37 service organizations and it serves the entire county. Walk On Water will sponsor the
38 run at Colonial Town Park on Saturday morning and on Sunday morning at AAA the
39 Champions Ride for Charities.

40
41 Commissioner Brender said he attended the League of Cities and got a lot out of the
42 trade shows and a couple will be going to Mr. Paster. There were some new
43 technologies in how to put down brick pavers in giant sections almost like tile. He said
44 he had information on that he would share with staff.

1 Commissioner Brender said on September 6th he would be helping out with the new
2 class for Leadership Seminole as a facilitator.

3
4 XIII. City Attorney

5
6 Ms. Reischmann said she believed the City Manager had updated them on the EPOCH
7 closing. It will probably be mid-September. We have issues with the lender.

8
9 Ms. Reischmann announced she would miss the next meeting because of a family
10 matter so Debra Babb-Nutcher from her office would be here.

11
12 XIV. Adjournment

13
14 There being no further business, the meeting adjourned at 7:55 P.M.

15
16
17
18 _____
19 David J. Meador, Mayor

Mary Campbell, Deputy City Clerk

20
21
22
23 ATTEST:

24
25
26
27 _____
28 Carol A. Foster, City Clerk