

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held October 6, 2011,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

4
5 I. Call to Order

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

8
9 II. Moment of Silence

10
11 Mayor Mealor said several members of the Commission have family members serving
12 on active duty and we are reminded of the importance of service with Sheriff Don
13 Eslinger's son, Don. During the moment of silence we will lift that family and all men
14 and women who serve.

15
16 III. Pledge of Allegiance

17
18 IV. Roll Call

19
20 Mayor David Mealor
21 Deputy Mayor Gary Brender
22 Commissioner George Duryea
23 Seat 3 – Vacant
24 Commissioner Jo Ann Lucarelli

John Litton, City Manager
Carol Foster, City Clerk
Jackie Sova, Finance Director/
Assistant City Manager
John Omana, Com. Dev. Dir.
Gary Schindler, City Planner
Steve Noto, Planner
Bruce Paster, Public Works Dir.
Bill Carrico, Parks & Recreation Dir.
Gunnar Smith, Events Center Mgr.
Jennifer Rollett, Asst. Events Center Mgr.
Steve Bracknell, Police Chief
Bruce Fleming, Code Enforcement Officer
Craig Haun, Fire Chief
Katie Reischmann, City Attorney
Mary Campbell, Deputy City Clerk

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37 V. Approval of Minutes: September 22, 2011

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39 **Motion was made by Deputy Mayor Brender to approve the minutes of the**
40 **September 22, 2011, work session and regular meeting, seconded by**
41 **Commissioner Lucarelli and motion carried unanimously.**

42
43 VI. Special Presentations

44
45 There were no special presentations at this time.

1 Mr. Litton asked Mr. Paster to give an update on the water break and boil water notice.

2
3 Mr. Paster said gave a synopsis of what happened and where we are now. On
4 Monday, October 3rd at approximately 12:30 P.M., a water main break occurred at a
5 Seminole County construction site located at the southwest corner of Lake Mary
6 Boulevard and Greenwood Boulevard. Work being performed was in conjunction with
7 the installation of flow meters on the City/County water system interconnect at that
8 location. In order to install new flow meters, a line stop was installed into a 12-inch
9 water main connected to the City's water system. The water line split open at this line
10 stop location. Staff began shutting off water valves along Lake Mary Boulevard and
11 Rinehart to try to isolate this water break.

12
13 Mr. Paster said the County's contractor, CFP Corporation, began clearing the break
14 site. A large amount of water flowing through the break caused considerable damage to
15 the area. A streetlight, large tree, and a Progress Energy power transformer were
16 compromised. Progress Energy needed to de-energize power in the area, the tree
17 needed to be cut out, and the concrete light post removed for work on the pipe to
18 commence. At approximately 1:00 A.M. Tuesday morning, the contractor was ready to
19 get to the pipe and start repairing it. As we were unable to fully isolate the break from
20 the distribution system, the water treatment plant lowered system pressure at
21 approximately 1:40 A.M. to enable the repair.

22
23 Mr. Paster said all City water customers were instructed to boil their water prior to
24 consumption as a precaution because our system pressure dropped to below 20 psi.
25 The boil water noticed was rescinded today at approximately 10:00 A.M.

26
27 Mr. Paster said we are also waiting on a letter from the pipe capping service company
28 that performed the line stop to explain what they think caused the water main break to
29 avoid this type of issue in the future.

30
31 Mr. Paster said the City is reviewing its operating procedures when we have this type of
32 failure, especially when it concerns boil water notices and media communications.

33
34 Mr. Litton said one of the considerations goes back to when Lake Mary Boulevard was
35 four-laned and we had a contractor who ended up going under financially and as a
36 result the as-builts are not accurate. You never go to those valves until you need them
37 and they're not there. That caused a considerable delay in the isolation and affected
38 more customers than it would have otherwise.

39
40 Commissioner Lucarelli asked if they knew where the valves are now.

41
42 Mr. Paster said we closed approximately 30 valves. We know where those are but
43 there are other tie-ins to the 20-inch main and there are no valves in the 20-inch main.
44 During that time the contractor was trying to save money. The new contractor came in
45 to finish the job also trying to save money so for the 20-inch main that runs down the
46 Boulevard we had to close all the tie-ins along it up and down the Boulevard. There are

1 probably others that we don't know about. Purchasing sonar is one thing we will be
2 doing, especially in the Downtown area where a lot of the pipes are 50 years old and we
3 don't have good records of their location or where the valves are. We are hoping with
4 the sonar to get better system maps and do a better job of locating.

5
6 VII. Unfinished Business

7
8 A. Ordinance No. 1441 – Establishing Early Voting for the City's November 8,
9 2011, Election – Second Reading

10
11 The City Attorney read Ordinance No. 1441 by title only on second reading.

12
13 Mr. Litton said the early voting dates are Friday, November 4th from 10:00 A.M. until
14 6:00 P.M.; Saturday, November 5th from 12:00 P.M. until 4:00 P.M.; and Sunday,
15 November 6th from 12:00 P.M. until 4:00 P.M. The early voting will take place at the
16 Supervisor of Elections office.

17
18 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1441. No
19 one came forward and the public hearing was closed.

20
21 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1441 on**
22 **second reading, seconded by Commissioner Duryea and motion carried by roll-**
23 **call vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes;**
24 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

25
26 VIII. New Business

27
28 A. Request to reduce lien on Harriet Mixon's property at 160 W. Lakeview
29 Avenue from \$103,700.00 to \$500.00 - Wanda Mixon Stumbo (postponed
30 9/8/11)

31
32 Mr. Litton said Mr. Fleming was present to provide the Commission with the background
33 on how we got to this \$103,700. The property owner is also present to state their case.

34
35 Bruce Fleming, Code Enforcement Officer, came forward. He said on or about January
36 10, 2008, I received a complaint on the general condition of the property located at 160
37 West Lakeview Avenue, subsequently identified as the Mixon property. A subsequent
38 inspection of the property revealed an accumulation of miscellaneous junk, rubbish and
39 debris. The property owner was sent notice of the violation via certified mail describing
40 the condition and requiring that the correction be undertaken with ten days. A follow-up
41 inspection of the property revealed that the property owner had failed to bring the
42 property into compliance.

43
44 Mr. Fleming said after final inspection the matter was set for hearing for the Code
45 Enforcement Board on March 18, 2008. The owner of the property was provided notice
46 of the hearing via certified mail but prior to the hearing the property owner contacted my

1 office and requested additional time to resolve these issues. Additional time was
2 granted and the case was withdrawn from the March 18, 2008, hearing.

3
4 Mr. Fleming said there was no significant progress towards resolving the issues,
5 therefore, the board convened on September 16, 2008. The property was found in
6 violation of the Prohibited Acts ordinance. The owner was given 14 calendar days by
7 the board to bring the property into compliance or pay a fine of \$100 per day for each
8 day the property remained in violation. The property was re-inspected on September
9 30, 2008, and there was no improvement. An Affidavit of Non-Compliance was then
10 filed with the office of the City Clerk and the fine of \$100 per day commenced.

11
12 Mr. Fleming said on August 5, 2011, the property owner notified code enforcement that
13 they had brought the property into compliance. This is after 1,037 days of non-
14 compliance at \$100 a day for a total fine of \$103,700 outstanding. An inspection was
15 performed based on the request by the property owner through her agent, Ms. Wanda
16 Stumbo, and at the inspection of August 5th it was determined that the property was in
17 compliance. An Affidavit of Compliance was immediately issued stopping the fine from
18 its accrual.

19
20 Mr. Fleming said we received a letter from the property owner requesting that the lien
21 be reduced from \$103,700 to \$500. After reviewing the case file and all the other
22 events that occurred, staff recommended that the reduction be no less than \$1,500 plus
23 the \$74 in filing fees and \$150 in attorney's fees.

24
25 Mr. Fleming said the most recent requests for the City Commission to consider lien
26 reductions included the City of Lake Mary vs. Centennial Bank. Centennial Bank had
27 accumulated a fine of \$7,400 and the bank requested that the lien be eliminated. The
28 City Commission authorized a reduction of the lien to \$664 which included filing fees
29 and attorney's fees. The Commission also entertained a request for a reduction of lien
30 for City of Lake Mary vs. Rosita Armanda at 158 Edinburgh. Ms. Armanda had acquired
31 a lien of \$3,324. The City Commission authorized the lien be reduced to \$1,155 in total
32 if paid within 30 days.

33
34 Mr. Fleming said the City recommends that the total fine for this property be reduced to
35 \$1,724 which would include the filing fee of \$74, \$150 for attorney's fees, and a \$1,500
36 fine for the violation if it is paid within 30 days of the Commission's decision.

37
38 Mayor Mealor said we are all familiar with the property. We sit in this building because
39 Mrs. Mixon was willing to allow this property to be used and the City would relocate her
40 home. During this time there have been a number of unfortunate circumstances that
41 contributed to the continuation of the code violation and believed during this time Mrs.
42 Mixon has relocated to another area of the state because of health reasons.

43
44 Commissioner Duryea asked if this house was being rented or was it vacant. He asked
45 if there was some way for the applicant to actually pay these fines if there is income
46 generated from it.

1
2 Mr. Fleming said he would defer that to the property owner and her representative who
3 were present.

4
5 Wanda Mixon Stumbo, 755 Highway 17 South, San Mateo, Florida. She introduced her
6 mother, Harriet Mixon. Ms. Stumbo said her mother had been staying with her for the
7 last several years because of her health and because of situations at the house. At this
8 time there is no one staying at the house. We are trying to see what we are going to do
9 with the house. We haven't fully decided. Her son was coming down with her to clean
10 up the property but both her sons were involved in a bad accident about a month ago.
11 She talked to her niece about her and her boyfriend helping to keep the property in
12 compliance. Last weekend they said they had trouble with the lawnmower. She said
13 her mother had been staying with her. She is a single woman and maintains three
14 businesses and maintains property in the Palatka area (San Mateo) and has been
15 taking care of her mother.

16
17 Deputy Mayor Brender said if we reduce this fine we can count on it being paid because
18 if it is not paid within 30 days, it comes back like a bad dream—all \$103,700 of it.

19
20 Ms. Stumbo said she understood. She clarified that the final bill was \$1,724.

21
22 Mayor Meador said that is a recommendation.

23
24 Ms. Stumbo said she was hoping for less. She said in 2008 she knew there was a
25 problem but thought it was all straightened out until she got notice from the City that it
26 wasn't. As soon as she found out it wasn't she remedied the situation as soon as
27 possible.

28
29 Commissioner Lucarelli said she read that Ms. Stumbo got in contact with Officer
30 Hudson and there was some assistance. Her concern was since they are out of the
31 area if someone was going to continue to keep it maintained.

32
33 Ms. Stumbo said we come down periodically and check on the property and we do have
34 family here and was trying to get them set up. She has a lawnmower there for them to
35 use but they had trouble with it this weekend. Hopefully her boys will be straightened
36 out and will be able to help.

37
38 **Motion was made by Commissioner Duryea that the outstanding lien be reduced**
39 **from \$103,700 to \$500 and the owner be required to pay the listed filing fee of \$74**
40 **and attorney's fee of \$150 for a total of \$724.**

41
42 Mayor Meador relinquished the gavel to Deputy Mayor Brender.

43
44 **Seconded by Mayor Meador.**

1 Mayor Mealor said he has had a number of people contact him about this and it was on
2 the news. One thing he wanted the public to know is that Mr. Fleming has no option.
3 He must do exactly what the codes say almost as if a sworn officer. People have been
4 very concerned. They know Mrs. Mixon and know what she has done for this
5 community. This has been out of her hands. He walks that street every evening and
6 knew what has gone on. This is an issue where we can go to a bank and reduce theirs
7 to \$500. He thought Commissioner Duryea was absolutely right, correct and fair in his
8 motion. Should the Commission choose to do this it is a fairer way to resolve an issue.

9
10 Ms. Stumbo said she and Mr. Fleming have gotten along well during this process. We
11 have had no problems and he has been very good to talk to her and we made decisions
12 together.

13
14 Deputy Mayor Brender said the only problem he had with it was if you look at the
15 amount of the reduction.

16
17 Mayor Mealor said the amount is due to the fact that there has not been anyone in the
18 home. Mrs. Mixon has been away for years.

19
20 Deputy Mayor Brender said he was aware of that and is why he felt \$103,000 down to
21 \$1,500 is perfectly legit. He questioned whether or not we have anything left in our
22 fining system if we don't maintain a semblance of code enforcement. He wasn't sure
23 \$500 is it. He would go with the staff recommendation. He questioned if we had
24 anything left in the code.

25
26 Mayor Mealor said each case is judged on his merits and we have explained the
27 extenuating circumstances in this case. We have had some where liens have not been
28 reduced and with just cause. He thought the motion on the floor was very fair under the
29 circumstances and in some ways is consistent with previous Commission action.

30
31 Ms. Stumbo said if it is reduced down to \$724 she was prepared to pay tomorrow.

32
33 Commissioner Lucarelli said she shared Deputy Mayor Brender's concern and
34 understood the situation. From a legal standpoint she didn't want the City to lose its
35 "teeth" and everyone claiming the same thing and then what's the point of having code
36 enforcement. She said she didn't want to be unreasonable but there has got to be
37 order.

38
39 Mr. Litton said maybe one of the conditions if the Commission goes in that direction is
40 that the property not revert back to non-compliance or there will be some additional
41 consequence.

42
43 Ms. Reischmann said we could get a consent order prepared that they would sign that
44 would state that it would not require any notice to become a repeat violation and would
45 immediately be taken to the Code Board without notice and stipulate to a certain fine
46 per day, such as a \$500 per day fine.

1
2 Deputy Mayor Brender asked Mr. Fleming if he had a way to enforce that.

3
4 Mr. Fleming said from a code enforcement perspective, the property was found in
5 violation, sanctions were invoked by the Code Enforcement Board, and the Commission
6 will determine how much of the sanction they will enforce. From the date that they
7 found the property in violation of the ordinance, within five years if they should revert
8 back to its original condition it is an automatic repeat violation where no notice is
9 required except for notice of the hearing. At the hearing for the repeat violation, the
10 board is empowered to invoke sanction up to \$500 per day for each day the violation
11 continues.

12
13 Ms. Reischmann said we could put that in a settlement agreement where they would
14 agree to that amount and even no notice of the code enforcement hearing if they
15 wanted to do that.

16
17 Commissioner Duryea said we are making this too complicated. We have an elderly
18 woman who is not well, cannot do the work, and cannot afford to have it done. The
19 family knows the consequences and is why they are here. Let's just get on with it and
20 let what happens happen. Don't complicate the matters with conditions and contracts.

21
22 Deputy Mayor Brender said we already have a procedure in place.

23
24 **Motion carried by roll-call vote: Commissioner Duryea, Yes; Commissioner**
25 **Lucarelli, Yes; Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

26
27 Deputy Mayor Brender relinquished the gavel to Mayor Mealor at this time.

28
29 Mayor Mealor said he knew it had been a difficult time for Ms. Stumbo and he thanked
30 Mrs. Mixon for all she has done for this community.

- 31
32 B. Request for a Preliminary Planned Unit Development (PUD) for a nine-lot
33 single family residential subdivision, properties located east of N. Country Club
34 Road on the east and west sides of Linda Lane; Chris Mahnken, applicant
35 (Public Hearing)
36

37 Mr. Omana said this is a preliminary PUD and is the first step in a series of processes
38 this project will have to go through. If this is approved at this level, it has to go forward
39 for the Final PUD, the preliminary subdivision plan approval, the final subdivision plan
40 approval, and then you get into the issue of final plat, surety, bonding and things of that
41 nature. This is the first phase of this process.

42
43 Mr. Omana said if this is approved this evening, this does not vest the project and does
44 not grant Mr. Mahnken or the developer a permit to start turning dirt tomorrow. There is
45 no vesting under this particular action tonight. This is more of a snapshot of what
46 potentially this project could be subject to the land development regulations.

1
2 Mr. Omana emphasized the importance of the exhibits Mr. Noto would be presenting.
3 He will show a snapshot of what it is now, potentially what it could be outside a PUD,
4 and what is proposed under the PUD regulations. If the Commission focused on those
5 three exhibits in addition to the technical information Mr. Noto would be presenting, it
6 should encapsulate the whole process and what the petitioner is looking for.
7

8 Mr. Noto showed an aerial of the Linda Lane area. The properties outlined in yellow are
9 the properties owned by Mr. Mahnken. There are two properties on the right side of the
10 graphic, which is the east side of Linda Lane. He pointed out the house currently
11 occupied by Mr. Mahnken and a guest house (under the tree coverage) that is occupied
12 by his wife's grandmother. He pointed out the parcel line to the south. When we
13 started researching this request, we discovered that this parcel line is an error. He
14 pointed out the area where it should be. These lots are already subdivided. It's how
15 they were platted as part of the Crystal Lake Heights plat in 1950 and they are
16 occupied. While they are part of the proposed subdivision, they are already subdivided
17 and will not be subdivided any further. The emphasis on the subdivision is the property
18 on the left side of the graphic which is the west side of Linda Lane.
19

20 Commissioner Duryea asked if the PUD had anything to do with the property on the
21 lake.
22

23 Mr. Noto said yes and no. He pointed out the properties owned by Mr. Mahnken as
24 they sit today (outlined in blue). The Linda Lane right-of-way moves east and down
25 south. That is how it was platted in 1950. The green outline is actually where the road
26 is outside the platted right-of-way. It appears that in the past there was authorization to
27 cold mix that road in that location outside of the right-of-way. What happened was Lot 8
28 and part of Lot 9 became enlarged and the larger parcel that's not part of any plat lost
29 part of its boundary. The reason those two properties are going to be in the PUD is to
30 fix that. Mr. Mahnken is proposing to shift the right-of-way to the southwest and
31 encompass the paved area as the new Linda Lane right-of-way. The property that was
32 lost on the larger parcel will be regained on Lot 8 and part of Lot 9. Lot 9 is where the
33 northern property boundary is.
34

35 Mr. Noto said the properties are currently zoned R-1AA. All the properties have a land
36 use of LDR which allows for 2-1/2 units per acre. All together the parcels on the east
37 and the parcels on the west are roughly 6-1/2 acres. Since Lots 8 and 9 will not be
38 subdivided any further, the land use comes into play for the western parcel which is 5
39 acres. Ultimately with that land use and the R-1AA zoning, Mr. Mahnken or any future
40 developer could possibly squeeze in 13 lots. That's what the code and the
41 comprehensive plan would allow. The PUD is taking away some of that density and is
42 setting the regulatory table for a specific project.
43

44 Mr. Noto showed what Mr. Mahnken is proposing which is a far less dense
45 development. How this ties in with Commissioner Duryea's question is Lots 8 and 9 are
46 on Crystal Lake and through straight zoning are encumbered by Chapter 160 which is

1 the Resource Protection Standards. Lot 9 does not equal out to 40,000 S.F. which is
2 what the code says any lakefront lot has to be under Chapter 160. It's a lot that is
3 already platted. When we shift the right-of-way of Linda Lane over to encompass the
4 paved area, the parcel boundary shifted up so it will increase the lot size to roughly
5 22,000 S.F. which is roughly ½ acre. Lot 8 will roughly be an acre and will not be
6 modified. Mr. Mahnken has said he has no plans to modify the house he lives in
7 besides typical interior modifications, pool, etc. On Lot 9 he would like to remodel or
8 demolish it to make a nicer home there. The PUD would allow him to do that by waiving
9 the Chapter 160 requirement. He emphasized he is not creating any additional density
10 on that side of Linda Lane. There are two parcels that have been platted since 1950.
11 When folks come in for 160 variances our emphasis has always been are you creating
12 density and if not staff has been receptive to that.

13
14 Mr. Noto said on the west side of Linda Lane Mr. Mahnken is proposing 7 lots. If the
15 Commission were to approve this it doesn't mean he can have 7 lots period. He may
16 come back and ask for 8 or he may go down to 6, but for this snapshot he is requesting
17 7 lots.

18
19 Mr. Noto said as part of the Preliminary PUD we always ask for conceptual lot
20 information. The minimum lot size being proposed on the east side of Linda Lane is
21 22,000 S.F. That is mainly for Lot 9. Lot 8 will continue to be almost an acre (43,560
22 S.F.). He is proposing on the west side of Linda Lane average lot sizes of 25,000 S.F.
23 R-1AA allows lot sizes of 14,000 S.F. and would allow Mr. Mahnken or future developer
24 to squeeze in those 13 lots. He said Mr. Mahnken is going above and beyond the
25 minimum code. The size of the homes will be between 3,500 S.F. and 4,000 S.F. That
26 is a conceptual number and could change. The code requires a minimum square
27 footage of 1,300 S.F. for single-family homes in the R-1AA district and is another area
28 where Mr. Mahnken is exceeding the minimum code.

29
30 Mr. Noto said another reason for the PUD is if he were to do R-1AA, he would be
31 required to upgrade Linda Lane to a full 50-foot right-of-way and that includes curbs,
32 gutters and sidewalks. At the Planning & Zoning Board, several residents came to the
33 podium and said they did not want to see Linda Lane fully improved to a full 50-foot
34 right-of-way with curbs, gutters and sidewalks. By virtue of the PUD we are going to be
35 able to work that into the developer's agreement so Mr. Mahnken will not have to
36 provide those improvements.

37
38 Mr. Noto said there is water in the area but there is not sewer. The closest sewer
39 available is by the Sports Complex so he will not be required to connect to sewer. If he
40 were to connect the residents along Linda Lane would also have to tie into sewer which
41 could be several thousand dollars for each homeowner. That was something that came
42 up at the Planning & Zoning Board and was not favored by the residents. These lots
43 would run on septic.

44
45 Mr. Noto said the Planning & Zoning Board heard this item on September 13, 2011, and
46 they recommended approval 4 – 0. One member abstained.

1
2 Mr. Noto said staff is also recommending approval of the Preliminary PUD. He noted
3 Mr. Mahnken was present.

4
5 Commissioner Duryea said the reason we are going to PUD is because rather than
6 rezone this R-1A is because they couldn't refigure the lots on the lake and the
7 reconfiguring of the road.

8
9 Mr. Noto said this is the best way to do everything at once—reconfigure the road, fix the
10 lot lines on Lots 8 and 9, and allow him to make modifications to that existing house on
11 Lot 9 which would be 22,000 S.F. of land area.

12
13 Commissioner Duryea asked if South Williams Drive was a platted right-of-way. Mr.
14 Noto said it is a platted right-of-way and there are no plans to pave that as part of the
15 PUD.

16
17 Commissioner Duryea said that is City property. Mr. Noto answered affirmatively.

18
19 Commissioner Duryea asked the length of Linda Lane from the beginning of that
20 subdivision out to Country Club Road. Mr. Noto said roughly a quarter mile.

21
22 Commissioner Duryea said in the past we have always required the developer to pave
23 to the nearest paved road. He expressed concern that now we have another source of
24 traffic into an area that traditionally has very little and that has an impact on the people
25 that are living there and the people will have to watch these cars going back and forth
26 which they didn't have to do before. He asked the rationale for not improving Linda
27 Lane.

28
29 Mr. Noto said based on discussions with Mr. Mahnken and the hearing at P&Z, we have
30 received concerns about requiring that Linda Lane be fully improved. This subdivision
31 boils down to 7 new lots which generates roughly 70 additional trips per day. Ultimately
32 it's up to the Commission to decide whether or not Linda Lane will have to be a fully
33 improved right-of-way section. What we've heard up until this point is that Mr. Mahnken
34 would prefer not to and that the residents would prefer it stay as it is.

35
36 Commissioner Duryea said cold mix roads are generally about 20 feet. Mr. Noto said
37 this road is about 20 feet wide.

38
39 Commissioner Duryea said he didn't like that. It makes the roads too narrow. He
40 expressed concern about the north portion.

41
42 Deputy Mayor Brender asked if he was correct that would be the only way in. Mr. Noto
43 said that was correct.

44
45 Commissioner Duryea said there are concerns.

46

1 Deputy Mayor Brender asked if this created a particularly long cul-de-sac. Counting
2 Linda Lane this is a half mile of cul-de-sac for the fire department and we frowned on
3 that in the past.

4
5 **SIDE 1B**
6

7 Mr. Noto said we didn't receive any concerning comments from the Fire Marshal. It
8 looks like this cul-de-sac is a couple of hundred feet long and adding that on to a
9 quarter mile so we are looking at several thousand feet.

10
11 Commissioner Duryea said we have a 600-foot maximum. Mr. Noto said the maximum
12 is 600 feet.

13
14 Deputy Mayor Brender said he was counting Linda Lane as part of that 600 feet. If
15 South Williams is a road then he would count that because our only access is Linda
16 Lane and they have to come all the way around.

17
18 Mr. Noto said if you have a cul-de-sac of that length, through straight zoning the code
19 would require a secondary access point. The only one here would be via South
20 Williams Drive.

21
22 Deputy Mayor Brender said that is not an improved right-of-way.

23
24 Mr. Noto said it's not only heavily wooded but Country Club does turn in that area so
25 that would require coordination with Seminole County getting a curb cut, etc.

26
27 Commissioner Duryea asked the status of the little triangle on the top left of the exhibit.
28 Mr. Noto said we've had no one call about it.

29
30 Deputy Mayor Brender asked if it belonged to the County. Mr. Noto said it was either
31 County or privately owned.

32
33 Mr. Noto said Mr. Schindler pointed out that the curve seems to be a high accident area
34 which would create an issue if this were to become an improved right-of-way.

35
36 Commissioner Lucarelli said her concern was the length and emergency access,
37 especially for fire trucks. She assumed it should have already been an issue but didn't
38 know how they were handling it or addressing it.

39
40 Commissioner Duryea said if Linda Lane as we see it above the subject property came
41 straight out at a 90-degree angle to that curve, it wouldn't be that bad because it is easy
42 for people coming in and out of Linda Lane to see cars coming. If it was on the other
43 side of the curve it would really be a problem.

1 Deputy Mayor Brender said we need to figure out this maximum length cul-de-sac and
2 get to the bottom of that. He didn't like the idea of developing 8 lots on a lake on septic.
3 There has got to be a sewer line in some medial distance.
4
5 Mr. Noto said it is at the Sports Complex by the tennis courts.
6
7 Deputy Mayor Brender said there has to be one up Country Club. Mr. Noto said if there
8 is it would not be a City line.
9
10 Deputy Mayor Brender said he gets very concerned developing multiple lots on a lake
11 on septic. He asked Mr. Mahnken and staff to try to be creative. As far as the other
12 people on Linda Lane, if we bring it in we will find ways to put it on the tax bill for ten
13 years or whatever we have to do. He would feel a lot more comfortable if we could find
14 a way to sewer it.
15
16 Commissioner Lucarelli said she didn't know where St. Johns is because they have had
17 a big shakeup, lost a lot of staff, and have backed off some of this phosphorous loading
18 but didn't know to what extent. That is an issue. They have been trying to pass
19 legislation to force people to put in massively expensive septic tanks so we need to look
20 at that and plan appropriately. She could see St. Johns making an issue of it too. Other
21 than that she liked it.
22
23 Commissioner Duryea said the biggest problem he had is why we are doing a PUD but
24 that has been solved so he didn't have any problem with the PUD issue. The rest of the
25 things we will get to talk about again.
26
27 Mayor Mealor asked if anyone want to speak on this request for a Preliminary Planned
28 Unit Development.
29
30 Chris Mahnken, applicant, 135 Linda Lane, came forward. He said Steve (Noto) did a
31 great job on the presentation but would like to address the issues brought up from the
32 neighbors and one of the reasons he was doing the development. He originally thought
33 about selling this property and spoke to a realtor that lives on Linda Lane. He did a 30-
34 day listing and stopped and thought about it. If he sold this property to someone else
35 they could come in a do what Steve showed in the first drawing which was 12 to 13 lots.
36 He has lived on Linda Lane for ten years and the last thing he would want is for
37 someone to come in and develop this. He thought he would come in for a PUD that
38 would allow him to straighten out the road issue. It would also allow him to control what
39 happens with the property. Some of the neighbors were discussing the privacy that we
40 would lose but if you look at the north side of the property, there is a 50-foot buffer from
41 Williams Drive that would never be opened up unless we go in a different direction.
42 That would give a 50-foot buffer to all the residents north of the property. He would also
43 propose a 10-foot landscape buffer around the entire property with the exception of this
44 area. He could keep it landscaped but it would be at the entrance of Linda Lane so we
45 would have neighborhood landscaping in that area. We have not done a topo and was

1 not sure how many trees would be removed but would try to keep as many trees as
2 possible.

3
4 Mr. Mahnken said we have 7 lots and was thinking of reducing them to 6 just to be able
5 to keep the privacy of the neighborhood. Some of the neighboring neighborhoods
6 stripped all the trees and there may be a dozen trees serving 50 homes right now and
7 he was trying not to do that. If he maintains a 10-foot landscape buffer around the
8 property, the south side and north side will still have a nice treed area.

9
10 Mr. Mahnken said the traffic on Linda Lane was one of the issues that some of the
11 neighbors had discussed. He would be concerned as well. In the ten years he has
12 lived there it is very rare he drives down Linda Lane and waves to one of his neighbors
13 passing him. There is just not much traffic. He said he knew he would increase the
14 traffic but thought the little bit of traffic that would be increased, leaving Linda Lane the
15 way it is for the character of the neighborhood would be better than developing it to a
16 50-foot roadway. There is also the cost factor. If he had to go to a 50-foot roadway it
17 would probably push him towards more lots and that's not what he was trying to do.

18
19 Mr. Mahnken said there were some questions regarding construction traffic. We have
20 had several homes built in the past ten years, swimming pools put in, homes
21 remodeled, and lawns re-sodded. He didn't mind waiting for a sod truck if that means
22 the neighbor is going to improve his property. Linda Lane is a narrow road. We all like
23 it the way it is. Regarding the construction side of it with the traffic, he would have a cul-
24 de-sac and would have more property than most of the people that have done
25 construction on Linda Lane now so all the construction traffic could be kept on Linda
26 Lane.

27
28 Mr. Mahnken said to address the septic issue, all of the homes on Linda Lane are on
29 septic. The elevation on the center of the five acres is probably 10 foot higher than any
30 of the surrounding properties. The properties that have septic now, with the exception
31 of one, all have standard septic systems that have recently been put in in some of the
32 newer homes. They weren't required to do any expensive septic because the
33 percolation of the soil is so great. It is a sand bed and used to be an orange grove, so
34 that would address the septic issue.

35
36 Mr. Mahnken said as far as the economic impact, he has two realtors that live on the
37 street and have spoken to both of them and they discussed the foreclosures in the area.
38 Someone that buys a foreclosure is not necessarily going to come in and buy a lot to
39 build a new home. He said if he gets approval he was not looking to immediately
40 develop it. It would probably be over five years before anything happens.

41
42 Deputy Mayor Brender asked Mr. Mahnken if he was going to sell each lot separately
43 and allow the buyer to bring in a builder.

44

1 Mr. Mahnken said he didn't have a written plan yet. He would love to sell the lot and
2 build a home and had built a couple in the neighborhood, but was not locked into
3 anything.

4
5 Commissioner Duryea said he would love to live in this subdivision if this had a little
6 meandering 20-foot road and taking down the least amount of large trees. That would
7 be an amenity that would be tremendous.

8
9 Mr. Mahnken said he was not opposed to a road on Williams but it's just that every time
10 he has spoken with staff they say Williams would never be opened up. He had
11 originally looked at what if Williams was the entrance into the subdivision. He would
12 prefer Linda Lane to be the entrance. He felt they could handle the traffic and would
13 just as soon see the 50-foot buffer on the north side.

14
15 Deputy Mayor Brender said the length of this cul-de-sac could be a problem. He said
16 let's keep everything on the table so we can look at everything. He asked Mr. Mahnken
17 to not give up too easily on the septic/sewer thing. The state has taken a dim view of
18 these and didn't know if St. Johns was going to have the finances to back it up but there
19 are plenty of scientific reports and evidence that reflect the fact that it is not a good idea
20 to put lots within a couple hundred feet of a lake on septic. He asked Mr. Mahnken to
21 try and be creative and see if there was something that could be done.

22
23 Commissioner Lucarelli said we never know what's going to happen tomorrow or five
24 years down the road. If something were to happen that Mr. Mahnken felt the need to
25 sell the property she would want to have the reassurance that the density is not going to
26 go over what he is proposing today. She said she liked what Mr. Mahnken was
27 proposing.

28
29 Mr. Noto said if it were to be rezoned to PUD and we had the developer's agreement
30 signed and recorded, it would run with the land. An increase would have to come back
31 through the Commission.

32
33 Amy Pennock, 127 Linda Lane, came forward and spoke in favor. Last year we bought
34 this property and Chris (Mahnken) assisted in building this property. We agree with
35 what he is doing and think it will add a great quality to the neighborhood. She didn't
36 know if she necessarily agreed with adding another through road through the
37 neighborhood. The one way gives a nice safety net for those who have kids knowing
38 we don't have traffic in and out. There were a lot of concerns raised about what this
39 would do so the property values. She welcomed the Commission to come to her house
40 to see what Chris did. He has very high standards with quality results. This is going to
41 provide a nice addition to the neighborhood and to the Lake Mary area.

42
43 No one else came forward and the public hearing was closed.

44
45 Mayor Mealor said he traveled Linda Lane very recently and it is a beautiful piece of
46 property. As we have done with Gehr and Terry Lanes, and in some ways with the

1 extension of Ninth Street, this makes a lot of sense in a PUD format for the simple
2 reason of protecting the character of the neighborhood with the road being a kind of
3 artery. It doesn't need to be changed. His concern is as you approach the end of Linda
4 Lane you run into some difficulties for those homeowners down there but this would not
5 be an issue because no one would be traversing past that area only in the rarest of
6 cases. It is going to require some creativity and he appreciated the input from the
7 Commission and the input we received from Mr. Mahnken in terms of the integrity of this
8 project. He said his vote would be reflected on the information presented.

9
10 Deputy Mayor Brender asked if Springhurst was on sewer or septic. Mr. Mahnken said
11 septic.

12
13 Deputy Mayor Brender said it was mentioned the idea of dry lining sewer or something
14 along that line. He was concerned about that and asked to get creative.

15
16 Mayor Mealor said to keep in mind that once you've been on Linda Lane and start
17 talking about sewer and what it takes to put that in then you are going to alter the
18 character of the very thing we are trying to protect. He understood what Deputy Mayor
19 Brender was saying but we've got a ways to go.

20
21 **Motion was made by Deputy Mayor Brender to approve the Preliminary Planned**
22 **Unit Development, seconded by Commissioner Lucarelli and motion carried by**
23 **roll-call vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes;**
24 **Commissioner Duryea, Yes; Mayor Mealor, Yes.**

- 25
26 C. Ordinance No. 1442 - Rezoning from R-1A (Residential) to DC (Downtown
27 Centre) property located on the south side of Wilbur Avenue just west of First
28 Street at 181 E. Wilbur Avenue; Marilyn Stripp, applicant – First Reading
29 (Public Hearing)

30
31 The City Attorney read Ordinance No. 1442 by title only on first reading.

32
33 Mr. Schindler said this property is directly across the street from properties that the
34 Commission approved the rezonings from PO to Downtown Centre within the last month
35 or so. We have an owner that is aware of the fact that if and when this property is sold
36 and redeveloped then Downtown Centre zoning is required and she is taking that step
37 tonight to make her property more attractive for future redevelopment. Right now it is a
38 single-family residence and is the applicant's home but she is looking to the future. We
39 have the criteria for rezoning and Findings of Fact A through D in the staff report are
40 determined to provide support for the request to rezone the subject property from R-1A
41 Residential to DC Downtown Centre. He noted the applicant was present

42
43 Mr. Schindler said at their September 13, 2011, meeting, the P&Z voted unanimously to
44 recommend the proposed DC zoning.

1 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1442. No
2 one came forward and the public hearing was closed.

3
4 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1442 on**
5 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
6 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**
7 **Lucarelli, Yes; Mayor Mealor, Yes.**

8
9 D. Ordinance No. 1443 - Zoning Text Amendment revising § 154.61 (C) (1),
10 Minimum Planned Unit Development (PUD) size from 5 acres to 2 acres –
11 First Reading (Public Hearing)

12
13 The City Attorney read Ordinance No. 1443 by title only on first reading.

14
15 Mr. Omana said in the past the Commission has charged staff with setting the
16 regulatory table and this is just another piece of the puzzle to help achieve that goal,
17 specifically in the Downtown. By virtue of Downtown being platted in the 1920's creates
18 challenges due to the lot sizes. Most of the lot sizes are in the 25-foot to 33-foot wide
19 configuration and once you get into aggregation it may become a challenge to meet the
20 minimum requirements of the PUD. We believe it is something that will help us move
21 forward in the Downtown.

22
23 Mr. Schindler said in the Downtown we want to change the minimum criteria from five
24 acres to two acres. In 2006 the Commission voted to change from ten acres to five
25 acres and from two uses to one use. Now that we have one use established it becomes
26 redundant to keep that language. The deletion of the language for one use is a
27 housekeeping measure. All property has a use whether it be vacant, residential or non-
28 residential.

29
30 Mr. Schindler said the real purpose for what we are proposing is that in the Downtown
31 we have small lots and there is a basis for having two standards of acreage—one in the
32 Downtown and one outside.

33
34 Mr. Schindler said at the September 13, 2011, meeting the Planning & Zoning Board
35 voted unanimously to recommend support of the requested change from five to two
36 acres.

37
38 Commissioner Duryea said the lower we make the PUD the more we throw out our
39 zoning codes. He liked the idea this was centered just on the Downtown district and
40 would hate to see it go further than that.

41
42 Mr. Schindler said we have no desire for it to extend beyond the area that is now the
43 Downtown Development District.

44
45 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1443. No
46 one came forward and the public hearing was closed.

1
2 Deputy Mayor Brender asked the acreage if they took one of our standard Downtown
3 blocks from road to road.

4
5 Mr. Schindler said they are generally 600 feet long and with the alleys it is 126-foot
6 deep on one side. We are looking at about 600 feet by 300 feet.

7
8 Deputy Mayor Brender said that was about two acres and thought that is where we
9 should be in the Downtown District because if a developer wanted to come in and
10 develop a block that is what he would probably have to assemble in order to do any kind
11 of development.

12
13 **Motion was made by Commissioner Duryea to approve Ordinance No. 1443 on**
14 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
15 **vote: Commissioner Duryea, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**
16 **Brender, Yes; Mayor Meador, Yes.**

17
18 E. Ordinance No. 1444 – Acquire property located at 174 Seminole Avenue
19 between Fourth and Fifth Streets – First Reading (Public Hearing)

20
21 The City Attorney read Ordinance No. 1444 by title only on first reading.

22
23 Mr. Litton said we have had off and on discussions with these property owners over the
24 past several months and we were able to reach agreement with this particular property
25 owner. The location is on the north side of Seminole Avenue approximately 290 feet
26 east of the intersection of North Fifth Street and Seminole Avenue. The current zoning
27 is R-1A and the total parcel size is approximately .20 acres. We are recommending that
28 we purchase this at a price of \$140,000 with a deposit of \$3,000 and the City would
29 assume the responsibility for all closing costs. The City has 60 days to complete its
30 work and closing would be no later than 90 days from the effective date of the contract
31 which occurs upon approval of second reading.

32
33 Mr. Litton said we restarted negotiations with these property owners as a result of
34 recent discussions about the need for downtown parking. We feel we have potential use
35 of the structures on this property and the one under Ordinance No. 1445 so he would
36 not want to tear either one down. One is the health clinic. That would be a perfect
37 location. None of these uses we have in mind would be impacted by the parking issue
38 or the noise issue. They would serve a dual function. He recommended approval.

39
40 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1444. No
41 one came forward and the public hearing was closed.

42
43 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1444 on**
44 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
45 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**
46 **Duryea, Yes; Mayor Meador, Yes.**

1
2 F. Ordinance No. 1445 – Acquire property located at 170 Seminole Avenue
3 between Fourth and Fifth Streets – First Reading (Public Hearing)
4

5 The City Attorney read Ordinance No. 1445 by title only on first reading.
6

7 Mr. Litton said the same general comments apply as Ordinance No. 1444 as far as the
8 usage. This is located on the north side of Seminole Avenue approximately 370 feet
9 east of the intersection of North Fifth Street and Seminole Avenue. Current zoning is R-
10 1A, total parcel size is approximately .25 acres, and the purchase price is \$199,000 with
11 a deposit of \$5,000. The City would be responsible for all closing costs which would not
12 exceed \$15,000. We do not plan on tearing the structure down.
13

14 Commissioner Duryea asked why we are paying so much more for this one.
15

16 Mr. Litton said it has more value to it. It has more value on the structure, is more
17 valuable to the property owner, and it's bigger.
18

19 Commissioner Duryea asked if we are getting everything inside or are they going to gut
20 it.
21

22 Mr. Litton said they were not going to gut it. They are going to take some fixtures and
23 appliances but that's it.
24

25 Commissioner Duryea asked how much bigger. Mr. Litton said he would get that for
26 second reading.
27

28 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1445. No
29 one came forward and the public hearing was closed.
30

31 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1445 on**
32 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
33 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**
34 **Lucarelli, Yes; Mayor Meador, Yes.**
35

36 IX. Other Items for Commission Action
37

38 A. Resolution No. 883 – Pay Plan Update
39

40 The City Attorney read Resolution No. 883 by title only.
41

42 Mr. Litton said this was included in the Fiscal Year '12 budget. This is a 1% adjustment
43 for all employees. They are also eligible for 1% of merit during the coming year based
44 upon performance. For those who are at the top of their range they will be entitled to be
45 considered for a performance bonus in that same amount. This only covers the pay
46 plan adjustment. The cost is \$99,382.36.

1
2 **Motion was made by Commissioner Lucarelli to approve Resolution No. 883,**
3 **seconded by Deputy Mayor Brender and motion carried unanimously.**
4

5 X. Citizen Participation
6

7 No one came forward at this time and citizen participation was closed.
8

9 XI. Reports:
10

11 A. City Manager
12

13 1. Request Commission confirm appointment of Dianne Holloway as Finance
14 Director at a starting salary of \$100,000.00 effective October 20, 2011
15

16 Mr. Litton said he was pleased to recommend the appointment of Dianne Holloway as
17 the new Finance Director for the City. That would be effective October 20, 2011, at an
18 annual salary of \$100,000.00 which is in line with what other finance directors make.
19 She is very well qualified and he highly recommended her appointment.
20

21 Ms. Sova introduced Dianne Holloway. She said Dianne has been with the City of
22 Oviedo for three years and has a total of 15 years governmental experience. She
23 passed all her reference checks with flying colors. Oviedo happens to have our same
24 auditors who think highly of her. She said she had been talking to her since she moved
25 to this area and thought she would do a dynamite job.
26

27 Mayor Meador welcomed Ms. Holloway to the City of Lake Mary. He said Ms. Sova has
28 set a standard and is one that is exemplary and knew she would not have reached out
29 with this recommendation if she didn't feel Ms. Holloway had the potential to take that to
30 the next level.
31

32 Ms. Holloway said she was very happy that she is afforded this opportunity. She has
33 been looking forward to working with Jackie since she came to Central Florida. She
34 looks at her as a mentor and hopes that she can help her.
35

36 **Motion was made by Commissioner Duryea to confirm the appointment of Dianne**
37 **Holloway to the position of Finance Director at an annual salary of \$100,000.00**
38 **effective October 20, 2011, seconded by Deputy Mayor Brender and motion**
39 **carried unanimously.**
40

41 2. Request Commission authorize Mayor to execute Seminole County/City of Lake
42 Mary Interlocal Utility Construction Agreement for Skyline Drive and Sand Pond
43 Road roadway construction; authorize City Manager to execute change order to
44 CPH Engineers in an amount not to exceed \$49,737.94; and authorize City
45 Manager to execute Change Order No. 1 to Masci General Contractor, Inc. in an
46 amount not to exceed \$262,248.05 and 60-day extension

1
2 Mr. Litton said this is a request to approve an interlocal agreement with Seminole
3 County for the Sand Pond Road construction. This is subject to the County
4 Commission also approving it.

5
6 Mr. Paster said before the Commission are several items. One is the Seminole County
7 interlocal agreement. After we awarded this contract to Masci, it was realized a lot of
8 Seminole County relocation work needed to be done. In order to expedite our project,
9 in discussions with Seminole County we all agreed the quickest way to do it was to have
10 CPH (the City's design engineer) work on their design and to have Masci (the City's
11 contractor) to do the work through a change order in our contract. The agreement
12 spells out the specific work to be done. It gets paid through the Second Generation One
13 Cent Sales Tax. There is a \$2 million surplus in that fund for the City. We will be able to
14 use that money for other projects within the next five years or so.

15
16 Mr. Paster said there is also the change order for CPH for the design work and CEI
17 work and the change order to Masci Construction which talks about all those funds to do
18 the relocation work for the utilities.

19
20 Mr. Litton said normally the owner of the utility is responsible for the relocation costs. In
21 this case Seminole County did not budget that money and we cannot afford to wait for
22 them to do that. Since it is coming from the Second Generation One Cent Sales Tax it's
23 kind of out of the same pot so we will take it out of our share and be done with it.

24
25 Ms. Reischmann suggested separate motions on the three items.

26
27 **Motion was made by Deputy Mayor Brender to authorize the Mayor to execute**
28 **Seminole County/City of Lake Mary Interlocal Utility Construction Agreement for**
29 **Skyline Drive/Sand Pond Road roadway construction, seconded by**
30 **Commissioner Duryea and motion carried unanimously.**

31
32 **Motion was made by Deputy Mayor Brender to authorize the City Manager to**
33 **execute change order to CPH Engineers in an amount not to exceed \$49,737.94,**
34 **seconded by Commissioner Lucarelli and motion carried unanimously.**

35
36 **Motion was made by Deputy Mayor Brender to authorize the City Manager to**
37 **execute Change Order No. 1 to Masci General Contractor, Inc. in an amount not to**
38 **exceed \$262,248.05 and a 60-day extension, seconded by Commissioner Duryea**
39 **and motion carried unanimously.**

40
41 **SIDE 2A**

- 42
43 3. Request Commission authorize City Manager to execute three-year contract for
44 catering services with top eight scored companies, renewable for two one-year
45 periods
46

1 Mr. Litton said this is a request to award contracts to caterers for the Events Center.
2
3 Mr. Carrico said they went through the process with three people chosen for the
4 committee. We had all eight caterers that we had previously apply plus one more.
5
6 Gunnar Smith, Recreation/Events Center Manager, came forward. He said he, Jennifer
7 Rollett and Andy Walsh made up the committee. We had nine RFP presenters. The
8 RFP recommended choosing up to eight and we chose eight but dropped one of our
9 current caterers because they had only been here one time during the last 18 months.
10 We are excited to add 4 Rivers Barbeque as it has gotten excellent recommendations
11 and reviews. He said it was their recommendation to go with the top eight scored
12 catering companies.
13
14 Mr. Litton said we heard for the last three years from different companies who wanted to
15 participate in the process. We went out of our way to make it known and we only ended
16 up with the original eight plus one.
17
18 Mr. Carrico said Jennifer does a lot of sales. We had \$480,000 in revenues and after
19 expenditures it will be about \$150,000 profit. They have done a great job selling it.
20
21 Deputy Mayor Brender asked if we allowed outside caterers for specific needs.
22
23 Jennifer Rollett, Events Center Assistant Manager, said we allow smaller companies to
24 come in mostly Monday through Friday, 8:00 A.M. to 5:00 P.M. for daytime corporate
25 events when they are bringing in box lunches and things like that if they don't have the
26 budget to do a full catered event and just have a meeting at the facility.
27
28 Deputy Mayor Brender asked about specific needs like an Indian wedding.
29
30 Ms. Rollett said a few of the caterers have Indian chefs and certain cuisines that they
31 can provide and are able to accommodate those specific needs.
32
33 **Motion was made by Commissioner Lucarelli to authorize the City Manager to**
34 **execute three-year contracts with the top eight scored catering companies as**
35 **listed in the staff report, seconded by Commissioner Duryea and motion carried**
36 **unanimously.**
37
38 4. Request Commission authorize expenditure from Law Enforcement Trust Fund
39 for Lake Mary High School's "Challenge Day" in an amount not to exceed
40 \$750.00 and authorize City Manager to execute associated budget adjustment
41
42 Mr. Litton said this is a request from the Police Department to expend \$750.00 from the
43 Forfeiture Fund to donate to Lake Mary High School for their "Challenge Day" which has
44 been very successful. The program is two full days and is intended to break down
45 barriers among student cliques, prevent bullying, and act as a vehicle for strong

1 individual and group connectivity. He recommended the Commission authorize the
2 expenditure of \$750.00 and authorize him to sign the associated budget adjustment.

3
4 **Motion was made by Commissioner Duryea to authorize the expenditure of**
5 **\$750.00 from the Law Enforcement Trust Fund for Lake Mary High School's**
6 **"Challenge Day" and authorize the City Manager to execute the associated**
7 **budget adjustment, seconded by Deputy Mayor Brender and motion carried**
8 **unanimously.**

9
10 Mr. Litton said the Presidential Preference Election will be held on January 31, 2012, so
11 we are moving forward to bring the Charter referendum ordinance to the next meeting.
12 We will need to have everything to go on the ballot to the Supervisor of Elections no
13 later than December 1st. We'll have a little time to make some tweaks if we need to.

14
15 Mr. Litton said as a result of the recent water break we have an additional 500 people
16 sign up for the Lake Mary E-Alert and we now have 2,190 subscribers.

17
18 Mr. Litton said Candlelight Tales will take place October 14th and 21st at 7:30 P.M. at the
19 Frank Evans Museum. Storyteller Joe Rosier will tell haunting stories about Florida's
20 past and things that go bump in the night. Not recommended for children under 6.
21 Seating begins at 7:00 P.M. The cost is \$5.00 for adults and \$2.00 for children.

22
23 Mr. Litton said the annual Ghost Walk is October 15th and 22nd. Guides will take you on
24 a walk from the museum to the cemetery and back meeting ghosts along the way.
25 Tours leave the museum every ten minutes beginning at 7:00 P.M. Closed toe shoes
26 are strongly suggested. Not recommended for children under 6. The cost is \$5.00 for
27 adults and \$2.00 for children.

28
29 Mr. Litton said reservations are required for Candlelight Tales and the Ghost Walk. To
30 make reservations or for more information call 407-585-1481 or e-mail
31 info@lakemaryhistory.org.

32
33 Mr. Litton said the Halloween costume exhibit of unique Halloween costumes from the
34 1920's and '30's continues at the museum located at 158 North Country Club Road
35 through October 22nd.

36
37 B. Mayor

38
39 Mayor Meador said this evening Lake Mary High School is celebrating their
40 homecoming. He and Commissioner Lucarelli had the honor yesterday of being a part
41 of the homecoming parade that was a very impressive activity.

42
43 Mayor Meador shared something that happened this past Sunday that was very timely.
44 The City of Lake Mary served as the host community for a group called "Ride to
45 Recovery" which is a group that supports the Wounded Warrior Project. It is a bicycle
46 ride and is in conjunction with the Sheriff's Office and a number of Seminole County

1 municipalities. The response was overwhelming. He received a call earlier this week
2 complimenting the City of Lake Mary. A lot of people said when they went on our
3 website and read about our community, they chose to drive to Lake Mary just to be part
4 of that ride. He thought that was a compliment to our community. The Wounded
5 Warrior Project is one that should have all of our support. He thanked the public safety
6 officers and Sheriff's Office for a job well done.

7
8 C. Commissioners (1)
9

10 Deputy Mayor Brender said the Orlando-Orange County Expressway Authority is
11 negotiating with the state. Those negotiations are ongoing. There was a release of a
12 \$300,000 study that came to the conclusion that it did not hold that much traffic off I-4
13 as a diversion route. In the early on discussions we had with Orlando we never thought
14 the Western Beltway would be that much of a draw because the Eastern Beltway is
15 already there. All we are going to be doing is splitting traffic. What it does not address
16 is the east/west component of traffic movement that is missing in Seminole County and
17 that is to get from here to Lake County. The Orlando-Orange County Expressway
18 Authority is aware of that as is the Governor and most of our legislative members. The
19 negotiations are continuing. He said Andy Gardner's office is watching it closely and
20 hopefully by the end of the year we will see some results of what is going to happen.

21
22 Commissioner Duryea said Mr. Bill Carrico, Direction of Parks & Recreation, submitted
23 his resignation some time ago and as a concession to the present City Manager he
24 stayed on and continued his job and continued to enhance the City with everything he
25 does. Tonight was the last time you will see him here and he wouldn't tell anybody that
26 and make a big deal of it because that's the way he is. He spent more than 20 years as
27 a naval aviator, retired from the City of Winter Park as their Recreation Director, and
28 now is retiring from the City of Lake Mary as our Parks & Recreation Director. He has
29 been instrumental in every major improvement in our parks system and maintenance of
30 the Boulevard and Rinehart Road. He said he was going to miss the guy. He is
31 delightful to work with, very intuitive, hard worker, and has an inordinate sense of
32 responsibility. He thanked Bill and thanked Mr. Litton for bringing him here.

33
34 Mr. Litton said he would bet that this is not Bill's last meeting.
35

36 Commissioner Lucarelli said she attended CALNO at the Seminole County School
37 Board building. We went over facts, figures and the budget crisis. There is a new
38 education initiative for the 2012-2013 school year called E Pathways. It is going to allow
39 a lot more flexibility and will include home schoolers, charter school kids, and regular
40 kids that enter a virtual school if they want to stay home and take classes and maybe
41 come to school for one day. It provides a lot of flexibility. The way kids nowadays are
42 learning is more tech oriented than a traditional classroom. There are pros and cons.
43 We thought it would draw more kids back in, especially ones who have tried home
44 school and failed and not done well. She said she had friends who tried home
45 schooling their kids and when they put them in public school they were behind a year

1 and had to hold them back a grade. That may not be true for every home school,
2 private school or charter school.

3
4 Commissioner Lucarelli said the School Board has a community committee put together
5 to help in their superintendent search. They asked for an appointment from CALNO
6 and Charles Lacey was selected to be the rep. They will be having town halls on
7 November 8th and 15th to discuss what we're looking for and having the community
8 more involved in selecting a superintendent to replace Dr. Vogel when he retires next
9 year.

10
11 Commissioner Lucarelli said she attended Metroplan this morning and one of the items
12 brought up was a FLEX grant. She asked if the City was involved.

13
14 Mr. Litton answered negatively but would find out about it.

15
16 Commissioner Lucarelli said Altamonte, Longwood, Casselberry and Maitland are
17 teaming together on a FLEX bus grant and it is to help out with the SunRail connectivity
18 to get people to the SunRail stations. We could probably get our hat in the ring if we
19 wanted to.

20
21 Mr. Omana said we have been involved with Lynx on that discussion. Part of the
22 challenge was that there was no service boundary area on the north side of Lake Mary
23 Boulevard. We met with Tony Walter of Lynx about a week ago and we are going to be
24 sitting down to see how we can maximize the service routes for the SunRail station. In
25 our meeting they had committed to looking into incorporating the high tech corridor as
26 part of the rerouting of SunRail. Absent a specific grant application we are trying to
27 pursue other avenues to make sure we get the proper service at the station. The main
28 reason was there was no service area north of the Boulevard.

29
30 Commissioner Lucarelli said it looked like they were trying to do a loop type system.

31
32 Mr. Omana said we talked to them about that and we felt if we could get the looping
33 within the existing route would be the better way to go absent the north sector. We will
34 keep that on the radar screen in case things change.

35
36 Mr. Litton asked Mr. Omana to check on that grant.

37
38 Commissioner Lucarelli said she had a resident with complaints about conductors and
39 some of them being horn happy and she will be getting some information on whom to
40 contact. She contacted Bruce Paster and Seminole County about the railroad crossing
41 when she noticed how bad it was. CSX is hands off because they are into closing and
42 they don't want to put money into it if it's not going to be theirs so here we sit with
43 dangerous crossings and horn blowing conductors under nobody's direction.

1 Commissioner Lucarelli said some other residents were expressing concern about the
2 clearing of trees in the Enclave at Tuscany. She asked if that was part of an
3 agreement.

4
5 Mr. Omana said the PUD agreement allowed them to take out all the trees due to the
6 dramatic grade. For the trees that were part of the Albina tract which is private, we
7 made them preserve the palm trees and Italian pines along that corridor. They
8 approached us a week and a half ago that due to some curbing configurations they
9 would have to remove a couple of the larger palms along the Albina corridor. We had
10 them relocate them to the front side of that palm tree configuration being sensitive to
11 those who live in the back. We told them if they die they will have to replace them.

12
13 Commissioner Lucarelli reminded everyone of the Lake Mary-Heathrow Art Festival on
14 November 5th and 6th. She showed the poster for this year called "Days to Remember".
15 It's our 25th anniversary.

16
17 D. City Attorney

18
19 Ms. Reischmann had no report at this time.

20
21 XII. Adjournment

22
23 There being no further business, the meeting adjourned at 9:00 P.M.

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28 _____
29 David J. Mealor, Mayor

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36 _____
37 Mary Campbell, Deputy City Clerk

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41
42
ATTEST:

36
37 _____
38 Carol A. Foster, City Clerk