

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held  
2 November 1, 2012, 5:30 P.M., Lake Mary City Commission Chambers, 100 North  
3 Country Club Road, Lake Mary, Florida.

4  
5 The work session was called to order by Mayor David Mealor at 5:38 P.M.

6  
7 Mayor David Mealor Jackie Sova, City Manager  
8 Deputy Mayor Gary Brender Carol Foster, City Clerk  
9 Commissioner George Duryea John Omana, Community Dev. Dir.  
10 Commissioner Allan Plank Gary Schindler, City Planner  
11 Commissioner Jo Ann Lucarelli Steve Noto, Planner  
12 Bruce Paster, Public Works Director  
13 Bryan Nipe, Parks & Recreation Dir.  
14 Randy Petitt, Human Resources Mgr.  
15 Steve Bracknell, Police Chief  
16 Craig Haun, Fire Chief  
17 Mary Campbell, Deputy City Clerk  
18

19 ITEMS FOR DISCUSSION:

20  
21 I. Neighborhood Improvement Program  
22

23 Ms. Sova said in August we brought forth a neighborhood improvement outline,  
24 discussed it and are back with a refined program taking into account Orange County  
25 and City of Orlando's programs. We also looked at the FDOT Highway Beautification  
26 Grant Program to try to put something together that we think will work for our  
27 neighborhoods. Some are aging and need improvements and some could just use  
28 some improvement. This requires community involvement and not just a 100% grant on  
29 the part of the City. She said Mr. Noto would present the program.  
30

31 Mr. Noto said we are back from the August 16<sup>th</sup> meeting and we reviewed Orange  
32 County, City of Orlando, DOT and some other similar programs to see how others were  
33 utilizing grant programs. We were able to add a lot of "teeth" which was one of the main  
34 comments at the August meeting. We had to make this more substantial than just  
35 saying we have money so why don't you apply for it. In meeting with the City Manager  
36 we came to the number of \$25,000 per fiscal year. There are two types of grants that  
37 will share that pot of money and is on Page 5 of the application package. It is the  
38 Neighborhood Entry Beautification Grant and the Community Beautification Mini Grant.  
39

40 Mr. Noto said the awards for the entry beautification grants cannot exceed \$5,000 but  
41 there is one caveat. One of the types of projects that qualifies for the Neighborhood  
42 Entry Beautification Grant is land acquisition. We added a statement that said that the  
43 Commission could award more than \$5,000 for that type of request with the additional  
44 caveat being if we spend \$25,000 on one project that is it for the year unless the  
45 Commission decides to add more money for the remainder of the year.  
46

1 Mr. Noto said the mini grants are good for \$1,500 and the types of projects eligible for  
2 those are on Page 5 and the types not eligible are on Page 6.

3  
4 Mr. Noto said both type grants require a minimum 5% match. Instead of using the term  
5 "sweat equity" we went with "in-kind goods and services" and the definition is on Page  
6 3. It is defined as equipment, professional services by legitimate providers valued at fair  
7 market value, and supplies. That is more professional.

8  
9 Mr. Noto said we expanded from just HOAs being able to apply and are going for  
10 homeowners' associations or general neighborhood associations. Orange County  
11 requires these organizations to be registered with the city for bookkeeping purposes  
12 and such. That is one of the requirements we outlined in the application package. A  
13 number of things they will be required to have with their application is we want them to  
14 have a project action team which is a certain amount of folks from the neighborhood  
15 that we can contact and who will be working on the projects; a grant action plan so we  
16 can see how they plan on attacking what they want to do and how they will be spending  
17 the money; and a five-year maintenance plan. We don't want the money to be spent  
18 and then a year later everything being dead. We want to see that they are going to put  
19 forth some of their funds and make sure it is money well spent on the City's end.

20  
21 Mr. Noto said the application process is they would come before city staff in the form of  
22 a first step meeting which we started doing this year for standard development projects.  
23 They would apply using the application in the application package and on there is listed  
24 all the required attachments such as quotes of proposed work, pictures of the existing  
25 area they wish to improve, the project action team contact information, grant action  
26 plan, etc. From there we would review their application and once we find what they  
27 have given us is sufficient, we would take it to the Parks & Recreation Board who would  
28 make a recommendation to the City Commission for final action. Based on that action  
29 we would move forward with the applicants to make sure that all work is completed  
30 within six months, which is outlined in the application package.

31  
32 Mr. Noto said we look forward to the Commission's direction on where to go from here  
33 on what is presented.

34  
35 Deputy Mayor Brender asked if the \$25,000 figure is what staff is proposing for starters.

36  
37 Ms. Sova said that was a number that was easily absorbable in this year's budget.

38  
39 Commissioner Plank said he was the one who raised a number of concerns last time.  
40 He said he appreciated the effort Community Development has put into this expanded  
41 document. He said he was much more comfortable with this one.

42  
43 Commissioner Plank asked if they found the 5% minimum was prevailing in other areas.

44  
45 Mr. Noto answered affirmatively.

1 Deputy Mayor Brender said if we give a grant of \$5,000 then they just need to come up  
2 with \$250. That didn't sound like a lot.

3  
4 Mr. Noto said in cash or in-kind services. It is a minimum of 5% so based upon the full-  
5 blown request we could ask for more.

6  
7 Commissioner Duryea expressed concern of 15 neighborhoods asking for a grant. He  
8 asked what was in the budget for this.

9  
10 Ms. Sova said right now it is not in the budget but there are some line items we can use  
11 to absorb it. It is \$25,000 total for the year. It is a starting number and it depends on  
12 what some of these developments need. We have one HOA that has tried to turn  
13 themselves over to us. They are pretty much unable to do anything and they have a  
14 pair of entry features that could use some work.

15  
16 Mayor Mealor asked the pleasure of the Board in terms of direction to the City Manager  
17 and staff.

18  
19 Deputy Mayor Brender suggested to put it in the form of a resolution and move forward.

20  
21 There were no objections from the Board.

22  
23 Mayor Mealor said in line with what the intent of this is, a gentleman on the P&Z Board  
24 representing The Reserve came to Mr. Omana, Mr. Paster, and Mr. Dovan and he was  
25 talking about some of the striping out there around the school. All he did was bring it  
26 forward as a community interest and would it be possible to revisit that since it had  
27 faded out. Our City staff responded within 48 hours. That's the kind of work that allows  
28 this Commission the reputation that all of us have. It just makes life easier in Lake Mary  
29 when we respond to those kinds of requests. We know the initial request is the Genesis  
30 of what this grant policy is. It is pretty specific and there are other areas that will  
31 probably benefit down the road. Here is a city saying to our community that we believe  
32 in the value system and want to help everybody if they want to help themselves. He  
33 asked Mr. Paster and Mr. Omana to communicate to Mr. Dovan how much that was  
34 appreciated.

35  
36 II. Policy on naming of City facilities

37  
38 Ms. Sova said currently we have Resolution No. 451 adopted in 1993 that provided  
39 guidelines for naming a City facility. We have two more coming forward. She asked if  
40 they wanted to keep these guidelines in place or do something else. We have a small  
41 number of facilities. She said Bryan (Nipe) has some more information on other items  
42 we may consider and some other ways we may be able to go forward. We want to look  
43 at some alternatives, maybe street names or possibly an honorarium. She said Bryan  
44 would highlight some of the differences between these various policies.

45

1 Commissioner Plank said he noticed that Seminole County and West Linn is limited to  
2 non-living persons and thought that was something they should look at.

3  
4 Mr. Nipe said Resolution No. 451 was put into effect in 1993. As the City has grown,  
5 especially with the City-owned facilities and streets, it may be time to readdress it to  
6 include greater criteria. Right now the only criteria is somebody will have to had lived or  
7 does live in Lake Mary. It could continue to be limited to Lake Mary residents. There  
8 could also be a dollar figure put on there for new construction. Winter Park does that.  
9 We are not limited to locations but we could talk about streets, rooms, and things along  
10 those lines. As we move forward with the community building, maybe some rooms  
11 could be a part of this. It doesn't have much in the way of criteria.

12  
13 Deputy Mayor Brender said it is a slippery slope because who do you honor. He said  
14 he could name three or four ladies who have died within the last couple of years. He  
15 asked what they would do when they run out.

16  
17 Commissioner Duryea asked what was left to put a name to.

18  
19 Ms. Sova said we have some projects coming up and Heritage Park is just terminology  
20 thrown out there. She asked if they wanted to leave that alone.

21  
22 Commissioner Lucarelli said she didn't want to see Heritage Park named after a person  
23 because it's supposed to be a heroes' memorial.

24  
25 Deputy Mayor Brender suggested to do an honor wall within Heritage Park. He  
26 suggested to put up a long wall and maybe do some kind of bronze look alike of  
27 someone we want to honor with a brief history. Make it an honorary wall and that way  
28 we can cover a lot of things and people in one place.

29  
30 Commissioner Plank said one of the problems when you start looking at the list of  
31 people you want to recognize as having made a significant contribution to Lake Mary,  
32 there is the risk of leaving someone out and offend a major resident. There is always  
33 the risk of putting somebody up there that that somebody disagrees they made a  
34 significant contribution. That is part of the reason the committee decided it would be a  
35 symbolic representation with the police, fire, military and citizens represented by four  
36 statues.

37  
38 Mayor Mealor asked the Commission's sentiment as far as taking a public building and  
39 naming a public building for an individual. He asked if what Deputy Mayor Brender is  
40 proposing and Commissioner Plank has picked up on is the appropriate way to  
41 recognize somebody rather than putting a name on a building without some substantial  
42 financial investment to the City.

43  
44 Commissioner Duryea said he didn't think that was a good idea.

1 Mayor Mealor said it was obvious the relationship he had with John Litton over the  
2 years. He said he never once put a public policy thought into what he presented that  
3 night. The response he had was less than enthusiastic and didn't think it was directed  
4 at the fact that it was Mr. Litton. It was directed at the fact that we were going to take a  
5 public building and stick somebody's name on it, which we have not done in Lake Mary.  
6 He asked if that was something they wanted to put on the table and say we're not going  
7 there.  
8  
9 Deputy Mayor Brender said if it is built with public funds. If somebody wants to give us  
10 \$2 million to build a community center then he might consider it.  
11  
12 Mayor Mealor asked if it was the sentiment of the group that we want to take any kind of  
13 building naming off the table. In terms of a revision to Resolution No. 451, let's just say  
14 that is not an option.  
15  
16 Deputy Mayor Brender said but list it as public buildings built purely with public funds.  
17  
18 Commissioner Plank asked if that applied to everything like baseball fields and parks.  
19 We would have to add "except buildings".  
20  
21 Commissioner Duryea said or take out "other facilities".  
22  
23 Mayor Mealor asked if there was any objection to the Winter Park language where they  
24 talked about a specific dollar amount.  
25  
26 Commissioner Duryea did not agree with that.  
27  
28 Commissioner Plank said he could see the reaction naming something after someone  
29 gave us \$25,000 to do it. No.  
30  
31 The Winter Park language where they talked about a specific dollar amount was taken  
32 off the table.  
33  
34 Deputy Mayor Brender asked what we do to specifically honor those people that truly  
35 stand out.  
36  
37 Commissioner Duryea said it didn't have to be honored in perpetuity. After four or five  
38 years we could have an awards appreciation dinner or something where someone gets  
39 recognized.  
40  
41 Commissioner Lucarelli said she thought there was an aspect at Heritage Park that was  
42 for people who contributed to Lake Mary.  
43  
44 Commissioner Plank said the volunteer statue was the fourth statue. There were no  
45 names.  
46

1 Deputy Mayor Brender said that's why he was proposing some kind of large wall.  
2  
3 Commissioner Duryea said since the beginning of the City we have had any number of  
4 people who have donated their time and energies throughout the years.  
5  
6 Commissioner Plank asked the difference between naming a building and naming a  
7 park or ball park. If you are not going to honor them one way then why honor them the  
8 other.  
9  
10 Ms. Sova pointed out that we have the Harry Terry Water Treatment Plant.  
11  
12 Deputy Mayor Brender said we can't do take backs.  
13  
14 Mr. Nipe said the Seminole County Administrative Code under C, 1 – 7, Criteria for  
15 Honoring Individuals, says they must have made a significant contribution to the quality  
16 of life or major contribution, or direct relationship between that place and that person.  
17 Those are good guidelines.  
18  
19 Mr. Nipe said with Heritage Park it was about names and then groups. Even with  
20 groups we could forget one group. We decided we would stick with the symbolic  
21 commemoration of the four different groups in statue form but at different stops through  
22 the walkways there may be little interpretive signs that indicate certain events that  
23 occurred and not necessarily individuals.  
24  
25 Commissioner Lucarelli said she liked George's idea of giving them a plaque or honor a  
26 group at a banquet.  
27  
28 Mayor Meador said any commission down the road can modify the resolution that staff  
29 would bring back to us. Let's say there will be no naming of any city facility and that  
30 includes ball fields, parks, and buildings.  
31  
32 Deputy Mayor Brender asked if they wanted to put "built with public funds".  
33  
34 Commissioner Plank said if it isn't built with public funds we don't control what name  
35 they put on it.  
36  
37 Deputy Mayor Brender asked about shared costs. If someone drops a million dollars...  
38  
39 Mayor Meador said let the commission deal with that at that time.  
40  
41 Deputy Mayor Brender suggested adding language that says the commission has the  
42 authority to make exceptions.  
43  
44 Mr. Nipe said there was a good one in the County's that states by majority vote 4 to 5.  
45

1 Mayor Mealor asked the Commission if they wanted staff to come back with a  
2 recommendation of how to recognize individuals whether it be by plaque, wall, or  
3 community building room. He asked Mr. Nipe to look into that.

4  
5 Mayor Mealor said one of the dilemmas we run into is those people prior to or at the  
6 time of city incorporation. Very few people know the name Raymond Ball but there  
7 would be no Lake Mary Boulevard extension and no I-4 interchange had it not been for  
8 Raymond Ball. He was a long-time Lake Mary resident and served a long time on the  
9 Seminole County Planning & Zoning Board and was responsible for right-of-way  
10 acquisition. We talked about Pauli Stevens who worked at the Senior Center. When  
11 this city became a city Lillian Griffin and the Griffin family donated all of their equipment  
12 so we could maintain the city at no expense to the city. We could have a  
13 communitywide event to celebrate our heritage and past, here is a list of people we  
14 could come up with and open it up and not be exclusionary.

15  
16 Deputy Mayor Brender suggested a large display of names and could add people to it.

17  
18 Ms. Sova said we could do that in conjunction with the time we dedicate Heritage Park.

19  
20 Mayor Mealor said that would be a nice community celebration.

21  
22 Mayor Mealor said the most important thing is there is a way to be respectful but to  
23 avoid the inevitable controversies and slights, let's keep personalities out of it and keep  
24 it policy driven.

25  
26 There being no further business, the work session adjourned at 6:10 P.M.

27

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held November 1,  
2 2012, 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,  
3 Lake 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 III. Pledge of Allegiance

12  
13 The Pledge of Allegiance was led by former Lake Mary Commissioner DeLores Lash.

14  
15 IV. Roll Call

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

29 V. Approval of Minutes: October 18, 2012

30  
31 **Motion was made by Deputy Mayor Brender to approve the minutes of the**  
32 **October 18, 2012, meeting as written, seconded by Commissioner Plank and**  
33 **motion carried unanimously.**

34  
35 VI. Special Presentations

36  
37 The order of Special Presentations was changed and Item B was heard first.

38  
39 B. Proclamation – Pancreatic Cancer Awareness Month

40  
41 Mayor Mealor said we are fortunate to have Christopher Bundy present and asked that  
42 he to join him at the podium.

43  
44 The City Attorney read a proclamation proclaiming November 2012 as “Pancreatic  
45 Cancer Awareness Month”.

1 Mayor Mealor presented the proclamation to Christopher Bundy.

2  
3 Mr. Bundy said on behalf of the Central Florida Affiliate of the Pancreatic Cancer  
4 Network, he thanked the Commission for the opportunity to address them. The  
5 Pancreatic Cancer Network is the only national organization creating hope in a  
6 comprehensive way through research, patient support, community outreach, and  
7 advocacy for care. He said he lost his grandfather more than 25 years ago to this  
8 disease and there has been little progress since. It isn't just his life and the lives of his  
9 family members that have been touched by this disease. This is a problem that affects  
10 our entire community. The incidents and death rate for pancreatic cancer are  
11 increasing and pancreatic cancer is anticipated to move from fourth to the second  
12 leading cause of cancer death in the U.S. by 2020.

13  
14 Mr. Bundy said on behalf of all his fellow volunteers, he thanked the Lake Mary City  
15 Commission for its important contribution to this national fight against pancreatic cancer  
16 by declaring November 2012 as "Pancreatic Cancer Awareness Month". The  
17 Commission is helping them do the critical work of making the public aware of this  
18 disease and its truly lethal nature. We hope by working with the Commission we will be  
19 able to raise awareness and support patients and their families and raise funds to find a  
20 cure. He encouraged everyone to visit their website at [pancan.org](http://pancan.org) to learn more about  
21 pancreatic cancer, their organization and its mission, the research we fund, and the  
22 comprehensive no-cost services they provide.

23  
24 Mayor Mealor recognized representatives from the Forest and a gentleman working on  
25 his Eagle Scout badge.

26  
27 A. Lake Mary-Heathrow Festival of the Arts – DeLores Lash, Chairman

28  
29 DeLores Lash, former Lake Mary City Commissioner and Chairman of the Lake Mary-  
30 Heathrow Festival of the Arts, came forward.

31  
32 Ms. Lash showed the featured artwork which is a scene from New Smyrna Beach. The  
33 artist has her own gallery in Mt. Dora. The festival will be held Saturday, November 3<sup>rd</sup>,  
34 from 9:00 A.M. to 5:00 P.M. and on Sunday, November 4<sup>th</sup>, from 10:00 A.M. to 4:00  
35 P.M.

36  
37 Ms. Lash distributed a ready-to-frame poster of the featured artwork to the Commission  
38 and served apple pie and ice cream.

39  
40 Mayor Mealor said he believed the painting would be auctioned.

41  
42 Ms. Lash said it is up for bid starting at \$475.

43  
44 VII. Unfinished Business

45  
46 There was no unfinished business at this time.

1  
2 VIII. New Business

3  
4 A. Appeal of Arbor Board denial of arbor permit related to the removal of five  
5 laurel oak trees at 824 Blairmont Lane (Gary Schindler, City Planner)  
6

7 Mr. Schindler said this is a request for an appeal of staff's determination of denial of the  
8 removal of five laurel oak trees at 824 Blairmont Lane. This item has been before the  
9 Arbor Board and they reviewed it at their September 10, 2012, meeting and the Arbor  
10 Board supported staff's decision.

11  
12 Mr. Schindler said this is a corner property with a sweeping curve and the trees are  
13 located along the property line. All five trees are in the range of 13 to 15 inches and is  
14 measured at one foot above the ground. The trees are a minimum of 16-1/2 feet from  
15 the structure. The fifth tree, which is the one farthest from the structure, is 30+ feet. If  
16 the tree is healthy, is not impacting utilities, is not buckling sidewalks or driveways, staff  
17 is restricted to trees that are within 15 feet of a structure, excluding walls and fences, if it  
18 is not a historic tree. If it is a historic tree, it has to be located within 7-1/2 feet. None of  
19 the five trees are historic. Based on the criteria, staff was not able to issue a permit.  
20 The trees are healthy and beautiful. They are not the largest but are healthy, lush, full  
21 and are an attribute to the neighborhood and the area.  
22

23 **SIDE 1B**

24  
25 Mr. Schindler showed photographs of the trees and they are full, the leaves are green  
26 and lush. Staff recommends that the Commission determine the appeal is not valid and  
27 the City is not able at this point to issue a permit.  
28

29 Mr. Omana said the applicant indicated the hardship involved was due to the location of  
30 the sprinkler system. We find that is not a rationale for the removal of the said species  
31 that Mr. Schindler identified.  
32

33 Ms. Reischmann said the code provides trees that interfere with the construction or  
34 repair of public utilities, recreational and other public infrastructure can be permitted to  
35 be removed.  
36

37 Mayor Mealor said that was not the case here.  
38

39 Sandra Henderson, 2812 Central Drive, Sanford, Florida, and Ms. Patel, the applicant,  
40 came forward.  
41

42 Ms. Henderson said the trees are impacting the property itself. When Ms. Patel was  
43 here earlier to ask about the irrigation system, she understands the City cannot issue an  
44 approval and that it would be easier and better for her to reroute her irrigation system  
45 and they are willing to do that. The only problem is the trees are pushing into the  
46 house. They have pictures and estimates from licensed professionals as to the tree

1 roots and damage into the property and not mentioning the irrigation system at all.  
2 There is a substantial crack into the foundation. They understand if they removed the  
3 trees that they will have to replace those. They benefit from the beauty of the trees and  
4 their environment. They maintain it to the best of their ability which is pleasing to them  
5 and their neighbors and consistent with maintaining a property value that is not going to  
6 have an adverse effect. They are only asking permission to correct the problem that is  
7 impacting the structure of their home and to remove the three trees that are causing the  
8 damage. The City responded and said if they were to remove them they would need to  
9 replace them with 15-foot canopy trees. That is consistent with what is already there  
10 and would maintain the beauty that prevails. They are trying to keep the property the  
11 way it should be kept so the value of their property would remain and the equity in their  
12 home would be on the positive. They are asking the Commission to reconsider so they  
13 could make the correction to the problem, which is the tree roots, and then would like to  
14 replace those as well as get their foundation fixed. They will need to fix the roots if that  
15 was the cause of the crack in the house and interfering with their plumbing.

16  
17 Commissioner Plank asked if the problem was with the irrigation system or the plumbing  
18 in the house.

19  
20 Mr. Henderson said the problem is caused by the tree roots and is starting to interfere  
21 with the plumbing as well as the foundation that has a severe crack and it is from the  
22 tree roots according to the licensed professionals that have come out.

23  
24 Mayor Mealor asked if that was presented to the Arbor Board.

25  
26 Mr. Henderson answered negatively.

27  
28 Mayor Mealor said we can only base our decision on the information presented at the  
29 September Arbor Board meeting. New information being brought to the Commission is  
30 not relevant to the decision we have to make this evening. We can only base  
31 information and decision on facts presented. He said Ms. Patel may want to take that  
32 back to the Arbor Board. This certainly could not be factored into the decision making  
33 this evening because this is new information that is introduced for the first time and is  
34 not part of how this decision making works.

35  
36 Ms. Henderson asked if in order for this to be considered they would need to start over  
37 again.

38  
39 Mayor Mealor said we want to be helpful. From ex parte communication he has visited  
40 the site. There is no way he would not speak in support of the Arbor Board decision.  
41 Based on the information presented they made the right decision. All of a sudden you  
42 are coming back with something that was not presented to us. He asked Mr. Omana the  
43 options the Patels have. He said he didn't think there was a great deal of sentiment to  
44 change the Arbor Board decision. He asked what options may be available to the  
45 Patels.

46

1 Mr. Omana said one of the options available based on the new evidence that staff has  
2 not seen would be to remand the item back to the Arbor Board, have them consider the  
3 evidence at that juncture and even before that, direct the applicants to sit down with  
4 staff so we can review the evidence as a group and based on that information take it  
5 back to the Arbor Board.

6  
7 Mayor Meador asked if there was any objection to that direction. There were no  
8 objections from the Board.

9  
10 Deputy Mayor Brender said the new evidence is that you have gotten a professional to  
11 tell you that the crack in the foundation of the house is due to those trees.

12  
13 Ms. Henderson said that was their finding after they came out and did their inspection.  
14 We called for an estimate, they came out and we were told we had tree roots coming  
15 into the house. We stepped aside and let them do their job and then they gave us the  
16 report of what they found from their trained eye.

17  
18 Mayor Meador said based on that new information and in fairness to the Patels, we will  
19 recommend that this be sent back to the Arbor Board. In the interim you will need to  
20 meet with City staff and present the new evidence for their consideration and review.

21  
22 **Motion was made by Deputy Mayor Brender to remand the appeal back to the**  
23 **Arbor Board, seconded by Commissioner Lucarelli and motion carried**  
24 **unanimously.**

25  
26 Mayor Meador said the Patels have a beautiful home, it is a beautiful community, and we  
27 thank them for their investment in the City of Lake Mary. This is not directed at the  
28 Patels but is a policy decision. There is nothing personal involved whatsoever.

29  
30 B. Ordinance No. 1474 – Amending Section 30.81 of the Code of Ordinances  
31 reducing the membership of the Historical Commission from 9 members to 7  
32 members – First Reading (Public Hearing) (Bryan Nipe, Parks & Recreation  
33 Director)

34  
35 The City Attorney read Ordinance No. 1474 by title only on first reading.

36  
37 Ms. Sova said in October the Historical Commission voted to recommend reduction of  
38 members from 9 to 7.

39  
40 Mr. Nipe said on October 9<sup>th</sup>, the Historical Commission voted to reduce the  
41 membership from 9 to 7. They have two openings. This is not due to the fact that they  
42 have two openings but is due to the fact that they are going through some changes and  
43 will go through some long-range strategic-type planning over the next couple of months  
44 and they feel having new members may confuse some things. They wanted to shrink  
45 the board, plan a little and figure out what they want to be over the next few years.

1 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1474. No  
2 one came forward and the public hearing was closed.

3  
4 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1474 on**  
5 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**  
6 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**  
7 **Plank, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

8  
9 IX. Citizen Participation

10  
11 Ryan Sadove, 1871 Turnberry Terrace, Orlando, Florida, came forward. Sophie & Trey  
12 has a fashion show coming up on November 8<sup>th</sup> and she requested closing 10 parking  
13 spaces on Fourth Street. She pointed out the spaces on the exhibit. She said was late  
14 coming to the meeting but the Special Events Permit was new and had turned in an  
15 application.

16  
17 Mayor Mealor asked Ms. Sadove if she was asking to close the road or just the parking  
18 area.

19  
20 Ms. Sadove said she was requesting to block off 10 parking spots.

21  
22 Mayor Mealor asked how many people were at the fashion show last year.

23  
24 Ms. Sadove said over 500 and this request was a safety thing. We do the show on the  
25 sidewalk. We sell 150 seats so all the overflow stands in the parking area otherwise  
26 they would be standing next to cars and that would be unsafe. She said they paid the  
27 application fee for the Special Events Permit but asked that the other fees be waived.

28  
29 Mayor Mealor asked the additional fees she was speaking of.

30  
31 Mr. Omana said through Community Development they would be required to obtain a  
32 Right-of-Way Utilization Permit that has a \$250 application fee. We review that through  
33 the Engineering Division. Under the City Clerk's Office there would be the business tax  
34 receipt, if applicable, and there would be a certain valuation associated with that. The  
35 major one we are talking about is the \$250 right-of-way utilization fee.

36  
37 Commissioner Duryea asked if we had a procedure when somebody wants to do this.

38  
39 Mr. Omana answered affirmatively.

40  
41 Commissioner Duryea asked if this was done.

42  
43 Mr. Omana said some documentation was submitted through the City Clerk's Office and  
44 we subsequently received it. We generally recommend the applicants come in for a first  
45 step process meeting and from there we lay out the regulatory framework.

1 Ms. Sova said we usually ask for a 60-day advance notice. These people have this  
2 planned and it is ready to do so when we heard about it we had them come straight  
3 forward.  
4  
5 Deputy Mayor Brender asked if they could forgive a right-of-way utilization fee. He  
6 asked if that would create a precedent.  
7  
8 Ms. Reischmann said you would want to document some reasons that make it  
9 distinctive of other situations because everyone would like a waiver of fees.  
10  
11 Commissioner Duryea asked what we did last time or did we do anything.  
12  
13 Ms. Sadove said this is their fourth time doing this but is their first time getting a permit.  
14  
15 Mayor Meador said Commissioner Lucarelli is the liaison to this Fourth Street merchants  
16 group and this has a real benefit to the Fourth Street businesses. He asked her  
17 thoughts.  
18  
19 Commissioner Lucarelli said not any of us want to do anything to hurt them but want to  
20 help them. They are doing a great job of growing our Downtown and hosting these  
21 events. She said she wasn't sure why we are behind the 8 ball or if this is a new  
22 process.  
23  
24 Ms. Sova said the Special Events Permit is something we adopted earlier this year.  
25  
26 Mayor Meador said so the last three years this wasn't an issue.  
27  
28 Commissioner Lucarelli asked if that could be our exception that we have started a new  
29 process. The right-of-way utilization permit is because they are closing off 10 spaces.  
30  
31 Commissioner Duryea said the only thing he could think of that would be an exception is  
32 that this is needed because of the fact that we are building parking. It would not be  
33 necessary to do this had we had enough parking.  
34  
35 Mayor Meador said in this circumstance it is a new policy and quite possibly we didn't do  
36 a good job of getting the word out to potential applicants.  
37  
38 Commissioner Lucarelli said she would contact Olivier of Pierre's Wine Cellar and make  
39 sure he notifies everyone and that everyone is aware for future events.  
40  
41 Mayor Meador said he didn't think Ms. Sadove should be penalized. We can do a better  
42 job of communicating new policies and procedures. The last thing we want to do is put  
43 roadblocks in front of her at this time.  
44

1 Deputy Mayor Brender said we adopted that policy in June of this year. He asked the  
2 City Attorney that considering the planning of this probably was started before that time  
3 if we could make an exception because of the new policy.

4  
5 Ms. Reischmann said it was not ideal.

6  
7 Commissioner Lucarelli said they weren't aware of it, even though ignorance is not an  
8 excuse of the law.

9  
10 Commissioner Plank asked if we required any kind of permitting prior to that being  
11 passed.

12  
13 Mayor Mealor answered negatively. They just set up in the parking spaces.

14  
15 Ms. Sadove said she did call the Police Department and told them.

16  
17 Mayor Mealor said under the circumstances he thought there was a precedent in terms  
18 of the lack of awareness of newly implemented policy. He thought Commissioner  
19 Lucarelli was right and how can we help Ms. Sadove right now under the  
20 circumstances.

21  
22 **Motion was made by Commissioner Lucarelli to allow the closing of 10 parking**  
23 **spaces on Fourth Street on November 8, 2012, for a fashion show and waive the**  
24 **\$250 Right-of-Way Utilization Permit fee, seconded by Commissioner Plank and**  
25 **motion carried unanimously.**

26  
27 Mayor Mealor asked the name of the new dress shop.

28  
29 Ms. Sadove said it is called Tria. It's our third concept so we did a playoff of trio.

30  
31 Mayor Mealor said we wish them every success with that. The event is always well  
32 attended. It is a first-class event and encouraged everyone to attend.

33  
34 No one else came forward and citizen participation was closed.

35  
36 X. Reports

37  
38 A. City Manager

39  
40 1. Request canceling January 3, 2013, meeting

41  
42 Ms. Sova said this is a request to cancel the January 3, 2013, meeting. We can move  
43 business around that, we don't have anything essential coming up at that time, and it is  
44 very close to the holidays.

1 **Motion was made by Commissioner Plank to cancel the January 3, 2013, City**  
2 **Commission meeting, seconded by Commissioner Duryea and motion carried**  
3 **unanimously.**

4  
5 Ms. Sova said daylight savings time ends Sunday, November 4<sup>th</sup>, which means lawn  
6 and landscape irrigation reverts to once a week and not between 10:00 A.M. and 4:00  
7 P.M. Residential odd numbered or no addresses can water on Saturday. Residential  
8 even numbered addresses can water on Sunday. Non-residential property can water  
9 on Tuesdays.

10  
11 Ms. Sova said all non-essential City offices will be closed Monday, November 12<sup>th</sup>, in  
12 observance of Veterans Day.

13  
14 Ms. Sova reminded everyone of the Swearing-In at 6:30 P.M. on November 15<sup>th</sup>  
15 followed by a reception and then the regularly scheduled meeting at 7:00 P.M.

16  
17 Ms. Sova said we are holding our annual food drive. Non-perishable food items are  
18 needed to sponsor local needy families for Thanksgiving. Donation boxes are located  
19 at the Municipal Complex, Police Department, Senior Center, and City Hall. Boxes will  
20 be picked up November 13<sup>th</sup>. If anyone knows of a needy family they can contact  
21 Michelle (McCurdy) at 407-585-1452.

22  
23 Ms. Sova said additional parking will be available for visitors to the Farmer's Market,  
24 Food Truck Crave and other city events beginning November 7<sup>th</sup>. Parking is located on  
25 Seminole Avenue west of Fourth Street and is accessible from Fifth Street.

26  
27 Ms. Sova said we will begin additional Downtown infrastructure improvements  
28 beginning with lane closures on Lakeview Avenue on the east side of Fourth Street  
29 beginning November 7<sup>th</sup>. We wanted to get past voting. The closures will occur after  
30 proper notification of police, fire, school board, and Waste Management. They will have  
31 an operational plan and a flagman out there. They will do this as quickly as possible.  
32 We are looking at finishing up by Thanksgiving.

33  
34 B. Mayor

35  
36 Mayor Mealor had no report at this time.

37  
38 C. Commissioners (3)

39  
40 Commissioner Plank said on October 26<sup>th</sup> he had the pleasure and honor of being  
41 invited to attend the Lake Mary Firefighters' Award dinner. He reassured all citizens  
42 that we probably have the best team of firefighters he had ever seen. The camaraderie  
43 and devotion to their service is unbelievable. This is the first time we have done  
44 recognition in a formal dinner and hopefully it will become an annual event. It certainly  
45 was reassuring to meet and get to know the firefighters and see them recognized as  
46 they should have been.

1  
2 Commissioner Plank said on October 29<sup>th</sup> he attended the School Board Municipal  
3 meeting. We represent from the different cities and the County the municipalities as it  
4 affects school closings, redistricting and those types of things so the cities are  
5 represented as we go forward. That is very much still in the planning stage. They are  
6 having a work session on November 8<sup>th</sup> at the School Board building. If anyone is  
7 interested in attending it starts at 1:00 P.M.

8  
9 Commissioner Lucarelli said she attended a Freight Advisory meeting. They are  
10 predicting between now and 2040 that freight will grow 1-1/2 times what it is now. That  
11 is a good thing, especially for the trucking community. Right now we are a consumer  
12 state and not producer state so trucks are coming in with loads but going out empty  
13 which means half the money they could be making. There is a shortage of truckers.  
14 They are working with FDOT to try to plan out freight and how to get more trucks off the  
15 roads because they produce more wear and tear on the highway system. It was  
16 interesting to see the trends to try to get more freight, more manufacturing, and raw  
17 material-type production in Florida.

18  
19 Commissioner Lucarelli said she attended the first annual Safehouse Candlelight Vigil  
20 held at the Sanford Police Department. It was very well attended and very moving.

21  
22 Commissioner Lucarelli said she went to a CRA Board training in Daytona that the  
23 Florida Redevelopment Association had. It was made up of county and city CRA board  
24 members from across the state. It was interesting to talk to them and hear the  
25 challenges. A lot of them are facing money issues and don't have money to put into  
26 their program. Our issue now is to get the DOT to work with us in the 17-92 corridor  
27 that they keep putting off which is hindering our economic development. We are  
28 working towards having a joint session with DOT and legislators to see what can be  
29 done to get that on the burner sooner than later because it is hindering all of us.

30  
31 Commissioner Lucarelli said the Spooktacular was mobbed but was a lot of fun and a  
32 great event.

33  
34 Commissioner Lucarelli said she attended the first Lake Scary Run for United Cerebral  
35 Palsy hosted by Lake Mary Prep. It was put together by four young men who cared  
36 about their friend who has cerebral palsy and asked her to speak. She said her brother  
37 was born with cerebral palsy. They had 50 to 75 runners so for a first event it was really  
38 good. They far exceeded their \$5,000 goal. We are looking forward to hitting it hard  
39 next year.

40  
41 Deputy Mayor Brender said he attended the employee SEED event. He complimented  
42 Steve Noto for MC'ing. We had great contests, great chili, and great food and it was a  
43 good time. He complimented staff and department heads for encouraging everyone to  
44 participate.

1 Deputy Mayor Brender said CALNO is having its next meeting November 7<sup>th</sup> and will be  
2 hosted by Seminole State College at the Heathrow campus. They will be unveiling  
3 more details on their Altamonte Springs campus plan. Everyone is welcome to attend.  
4

5 Commissioner Duryea thanked the employees for all the good work they have done and  
6 hoped everyone had a happy and safe Thanksgiving.  
7

8 D. City Attorney  
9

10 Ms. Reischmann had no report at this time.  
11

12 XI. Adjournment  
13

14 There being no further business, the meeting adjourned at 7:50 P.M.  
15  
16  
17

18 \_\_\_\_\_  
19 David J. Mealor, Mayor  
20

\_\_\_\_\_   
Mary Campbell, Deputy City Clerk  
21  
22

23 ATTEST:  
24  
25  
26  
27

\_\_\_\_\_   
Carol A. Foster, City Clerk  
28