

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held May 5, 2016,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake
3 Mary, Florida.

4
5 1. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:04 P.M.

8
9 2. Moment of Silence

10
11 3. Pledge of Allegiance

12
13 4. Roll Call

14
15 Mayor David Mealor Jackie Sova, City Manager
16 Commissioner Gary Brender – Absent Dianne Holloway, Finance Director
17 Deputy Mayor George Duryea John Omana, Community Development Dir.
18 Commissioner Sidney Miller Bryan Nipe, Parks & Recreation Director
19 Commissioner Jo Ann Lucarelli Gunnar Smith, Events Center Manager
20 Tom Tomerlin, Economic Development Mgr.
21 Bruce Paster, Public Works Director
22 Mike Biles, Police Captain
23 Frank Cornier, Fire Chief
24 Katie Reischmann, City Attorney
25 Mary Campbell, Deputy City Clerk
26

27 5. Approval of Minutes: April 7, 2016

28
29 **Motion was made by Commissioner Lucarelli to approve the minutes of the April**
30 **7, 2016, meeting, seconded by Commissioner Miller and motion carried**
31 **unanimously.**

32
33 Mayor Mealor welcomed a candidate for Eagle Scout from Troop 85. We welcome
34 college students as part of their class assignments or scout project. If any member of
35 the Commission or the City Manager may be helpful, please don't hesitate to reach out
36 to us.

37
38 Mayor Mealor said we are pleased to have our Forest community liaisons with us. He
39 thanked them for all they do for their community and for keeping us informed of issues
40 that are important to their residents.

41
42 6. Special Presentations

43
44 A. Certificates of Appreciation – Seminole State College “Team Fire” Capstone
45 Project
46

1 Dr. Tom Tomerlin, Economic Development Manager, came forward. This is a special
2 acknowledgement for a team of Seminole State College students that just earned their
3 Bachelor's degree in Business and Information Management (BIM). The SSC BIM
4 program concludes with a capstone course requirement that has students develop
5 teams that go out into the community and complete a real world project. We were very
6 lucky. We are very pleased that we had "Team Fire" partnering with our city to assess
7 external customer satisfaction with the City's fire department. This project was a vital
8 component of our fire department's accrediting process, often distilled into an ISO
9 (Insurance Services Office) rating for the City. We are currently at an ISO 3.

10
11 Dr. Tomerlin said "Team Fire" consists of these fine professionals: Susie Chester who
12 was the team captain but is on vacation, Justine Lawn, Angel Muchetti, Katie Thwaites,
13 and we can't go without recognizing Dr. Chris Beehner for his guidance who is their
14 major professor.

15
16 Dr. Tomerlin said what "Team Fire" delivered to us was much more than a typical study.
17 The Commission has a copy of the report in their packets and we look forward to sitting
18 down with you and going over some of the findings at another time. Thanks to "Team
19 Fire's" work we can say with great confidence this community values its fire department.
20 A bonus aspect of their study was a simulation that quantified the very real benefits
21 associated with having our own stand-alone emergency department at Florida Hospital
22 on Rinehart Road. These benefits include a quicker return to duty for our EMS services
23 and things as simple and straight forward as savings on vehicle operating costs such as
24 mileage and depreciation.

25
26 Dr. Tomerlin said this evening we have certificates of appreciation that were signed by
27 City Manager Jackie Sova and Mayor Meador we want to present to Susie, Justine,
28 Angel, Katie and Dr. Beehner.

29
30 Chief Cornier said this group surprised him. He wasn't expecting the quality of work they
31 did for us. The quality of work was almost like hiring a consultant firm. It was great
32 working with them. They did an excellent job in a short amount of time. They dug more
33 than he expected into accreditation, ISO, and what the fire department does. They
34 spent some time at the fire station and took pictures. They dug in and did a great job
35 and their presentation proved it. He thanked them for the excellent job and
36 congratulated them on their degrees.

37
38 Dr. Tomerlin presented the certificates of appreciation. Chief Cornier presented pens
39 and Challenge coins.

40
41 Mayor Meador said they are part of a baccalaureate degree program at Seminole State.
42 Of the 28 state colleges, this was the one program that received the Chancellor's
43 Award. That doesn't happen in isolation. It happens with great students and a great
44 faculty. He thanked and commended them. This is a gift to the City. It is beyond
45 helping students. It will help the City and our Fire Department. We appreciate
46 everything that they did.

1
2 Chief Cornier said May 15th starts EMS Week for the paramedics and firefighters.
3

4 7. Citizen Participation – This is an opportunity for anyone to come forward and
5 address the Commission on any matter relating to the City or of concern to our
6 citizens. This also includes: 1) any item discussed at a previous work session;
7 2) any item not specifically listed on a previous agenda but discussed at a
8 previous Commission meeting; or 3) any item on tonight’s agenda not labeled as
9 a public hearing. Items requiring a public hearing are generally so noted on the
10 agenda and public input will be taken when the item is considered.
11

12 No one came forward at this time and citizen participation was closed.
13

14 8. Unfinished Business
15

16 There was no unfinished business at this time.
17

18 9. New Business
19

20 A. Ordinance No. 1541 – Providing for bear-proof commercial containers and
21 carts for collection services and establishing a service fee for those services
22 in the West Seminole County Urban Bear Management Area (WSCUBMA) –
23 First Reading (Public Hearing) (Dianne Holloway, Finance Director
24

25 The City Attorney read Ordinance No. 1541 by title only on first reading.
26

27 Ms. Holloway said 14 months ago we entered into a franchise agreement with Waste
28 Pro. It did not provide for commercial bear carts but it did provide for residential. With
29 Seminole County adopting this West Seminole County Bear Management Area, we
30 have to comply with that. It’s west of I-4 and we have approximately 27 commercial
31 customers that will be affected. We have been in discussions with Waste Pro and they
32 have asked for a \$32.50 service fee for all containers, which are dumpsters, in addition
33 to the regular monthly fee. For any commercial handcarts they are asking for a \$12.50
34 service fee in addition to the regular monthly charge.
35

36 Ms. Holloway said we first have to amend this agreement and at second reading if
37 everything passes we will bring forth a resolution to amend our rates. We will contact
38 our customers to let them know what is going on and move forward.
39

40 Commissioner Miller asked if this would be mandatory.
41

42 Ms. Sova said for those commercial customers west of I-4 they are mandatory. She
43 spoke to the County last week and one of our concerns was their sitings east of I-4. We
44 objected to that. Because of the food drying up west of I-4 the bears have headed for
45 Apopka and have not headed east so we haven’t had any additional bear difficulties

1 happen. The area west of I-4 is more ripe for the bears and that is where all the sitings
2 were and not east of I-4.

3
4 Mayor Meador said it needs to be stated that we need to reach out to our colleagues on
5 the Seminole County Commission because when this was adopted back in December, it
6 had the potential to be somewhat problematic the way the original map was drawn. The
7 County Chairman and County Manager were with us one evening, we expressed our
8 concerns, and to their credit they revised that and believed we have something that we
9 are all in agreement. He thanked Ms. Sova and the staff for their endeavors in that
10 regard.

11
12 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1541. No
13 one came forward and the public hearing was closed.

14
15 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1541 on**
16 **first reading, seconded by Commissioner Miller.**

17
18 Commissioner Miller asked if these commercial accounts had been notified of these
19 additional charges.

20
21 Ms. Sova said they will be before we deploy the carts. We have been waiting for Waste
22 Pro to receive the carts. We also had to know what number to tell the customers they
23 were going to be charged.

24
25 Commissioner Miller said this is going to be a surprise.

26
27 Ms. Sova said she thought they all knew about the urban bear management area.
28 Several of them called us. One of the customers already has a bear proof container. A
29 couple of them have been riffled with bears so they are aware.

30
31 **Motion carried by roll-call vote: Deputy Mayor Duryea, Yes; Commissioner Miller,**
32 **Yes; Commissioner Lucarelli, Yes; Mayor Meador, Yes.**

33
34 10. Other Items for Commission Action

35
36 There were no items to discuss at this time.

37
38 11. City Manager's Report

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40 A. Items for Approval

41 a. Retirement Gift to Police Officer Jeffrey Napier

42
43 Ms. Sova said the first item is a retirement gift for Police Officer Jeff Napier. Jeff retired
44 after 15 years with our department. The Police Department would like to request that
45 we surplus Mr. Napier's department issued handgun and allow us to present that Glock
46 to him.

1
2 **Motion was made by Commissioner Miller to declare Glock Model 22, Serial #LAP**
3 **429 surplus and authorize it be presented to PFC Jeffrey Napier as a retirement**
4 **gift, seconded by Commissioner Lucarelli and motion carried unanimously.**
5

6 b. RFQ 16-04 Agent of Record Services for Employee Benefit Program
7

8 Ms. Sova said this is a request to approve the results of RFQ 16-04, Agent of Record
9 Services for Employee Benefit Programs. Three years ago we selected the Gehring
10 Group after many years with another agent to do our benefit programs and we have not
11 been as happy as we need to be. Instead of renewing our contract we went to a new
12 RFQ. We got five proposals: Gallagher Benefits, the Hylant Group, Brown & Brown,
13 MFB Financial dba the Baily Group, and Seaside Insurance. We had Dianne Holloway,
14 Wanda Broadway and Jennifer Tate evaluate those submissions. The ratings they used
15 were the required submittals were complete; the qualifications, experience, background
16 and workload were expressed; that they understood the proposed approach and
17 methodology; and they provided a compensation recommendation. From that this
18 committee recommended as the top ranked Gallagher Benefit Services.
19

20 Ms. Sova said based on the scoring she asked the Commission to allow her to
21 negotiate a contract with Gallagher Benefit Services to serve as our Agent of Record for
22 employee benefits.
23

24 **Motion was made by Commissioner Lucarelli to authorize the City Manager to**
25 **negotiate with Gallagher Benefit Services, Inc. to serve as Agent of Record for**
26 **Employee Benefits Programs, seconded by Commissioner Miller and motion**
27 **carried unanimously.**
28

29 c. RFP 16-03 Management and Operation of Lake Mary Tennis Center
30

31 Ms. Sova said this is RFP 16-03, Management and Operation of Lake Mary Tennis
32 Center. We received one proposal from Steve Huber. We went through the selection
33 process and based on the single proposal and the successful track record of Mr. Huber,
34 we recommend we enter into contract negotiations with him to serve as our tennis
35 contractor.
36

37 **Motion was made by Commissioner Miller to authorize the City Manager to enter**
38 **into contract negotiations with Steve Huber to serve as the Tennis Contractor,**
39 **seconded by Commissioner Lucarelli and motion carried unanimously.**
40

41 d. Sports Complex/Batting Cage Concession Agreement Extension
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43 Ms. Sova said this is the Sports Complex Batting Cage Concession Agreement
44 Extension and asked Gunnar Smith to explain.
45

1 Gunnar Smith, Events Center Manager, came forward. The contract with The Sweet
2 Shoppe for the concession and batting cage at the Sports Complex has expired. We
3 have the opportunity in that contract to extend it to any length that the Commission felt
4 appropriate. We put in for 26 months. The reason we did that is the Sports Complex
5 kind of closes down around July 4th and two years from now we wanted to get to that
6 July 4th point. We also wanted to change the compensation. What we have gone to in
7 a lot of the other contracts in the Parks & Recreation Department is a flat fee. They had
8 an average of \$284 that they pay us per month and we have agreed \$300 would be
9 appropriate moving forward for this next 26 months. That way we don't have to get all
10 their financials and spend a lot of staff time on that. It is our recommendation to move
11 forward with that.

12
13 **Motion was made by Commissioner Miller to authorize the City Manager to**
14 **execute Sports Complex/Batting Cage Concession Operations License**
15 **Agreement with The Sweet Shoppe, LLC for an additional 26-month period ending**
16 **June 30, 2018, with the flat fee of \$300 per month to begin in September 2016,**
17 **seconded by Commissioner Lucarelli and motion carried unanimously.**

18
19 e. Request for Expenditures from the State Law Enforcement Trust Fund for
20 Donations

21
22 Ms. Sova said this is a request for expenditures from the State Law Enforcement Trust
23 Fund for donations. This is pretty much an annual request. We are requesting \$500
24 each for Kids' House and Safehouse; \$200 each for Seminole High School for their
25 Project Graduation, Senior Intervention Group, YMCA, Boy Scouts of America, Girl
26 Scouts of America, and Harbor House; \$100 donations to Ali's Hope and MADD. The
27 fund balance in the Law Enforcement Trust Fund is approximately \$26,000 and these
28 donations will not exceed \$2,400. She requested Commission approval for these
29 donations.

30
31 **Motion was made by Commissioner Miller to approve the expenditures from the**
32 **State Law Enforcement Trust Fund in an amount not to exceed \$2,400: \$500 each**
33 **to Kid's House of Seminole and Safehouse; \$200 each to Seminole High School**
34 **(Drug/Alcohol Free Project Graduation), Seniors Intervention Group, YMCA**
35 **Family Center, Boy Scouts of America, Girl Scouts of America, and Harbor**
36 **House; and \$100 each to Ali's Hope and MADD. Seconded by Commissioner**
37 **Lucarelli and motion carried unanimously.**

38
39 f. Surplus Computers

40
41 Ms. Sova said this is a request to surplus 14 desktop and 11 laptop computers. The 25
42 asset tag numbers are listed in the memorandum. She requested the Commission
43 surplus these items.

44
45 **Motion was made by Commissioner Lucarelli to declare 25 computers surplus,**
46 **Asset Nos. LM010846, LM010939, LM010960, LM012028, LM012078, LM010847,**

1 LM010955, LM010961, LM012030, LM012079, LM010848, LM010957, LM010963,
2 LM012062, LM012097, LM010905, LM010958, LM010964, LM012065, LM012098,
3 LM010915, LM010959, LM010985, LM012076, LM012100, and authorize City
4 Manager to dispose of same. Seconded by Commissioner Miller and motion
5 carried unanimously.
6

7 B. Announcements
8

9 Ms. Sova said the car show will return to Central Park on May 15th from 11:00 A.M. to
10 2:00 P.M. That has been very popular for us. Hopefully they will have a nice day.
11

12 Ms. Sova announced the Summer Camp is completely full at 60 campers for all eight
13 weeks of Summer Camp.
14

15 Ms. Sova said at this point our Relay for Life grand total is over \$9,500. The team did a
16 marvelous job. She appreciated all their efforts.
17

18 12. Mayor and Commissioners' Reports
19

20 Mayor Meador thanked the Trailblazers. On Saturday two weeks ago we had our 5K
21 race. It is a wonderful morning and we get so many compliments from the runners.
22 What he appreciated about the Trailblazers is if you look at some of the projects in this
23 city that are stand alone and are the result of them from the splash park to the Trailhead
24 Park improvements. The proceeds of that run will go to the Veteran's Memorial at
25 Heritage Park. That is an incredibly good gesture on their part and thanked them for all
26 their efforts.
27

28 Mayor Meador said in the past we have heard from our department chairs in the public
29 safety area in both fire and police. In terms of our State of the City Address where we
30 reach out to the chamber members to update them, this past week at the State of the
31 City we had three of our department chairs: Dr. Tomerlin, Community Development
32 Director John Omana, and our Parks & Recreation Director Bryan Nipe. All three did an
33 exceptional job and we had tremendous feedback. It was a record crowd and was one
34 of the most pleasant experiences. It's wonderful when the story is told by the people
35 that operationalize what we do on a daily basis.
36

37 Mayor Meador said he represented the Commission on the City of Lake Mary Relay for
38 Life Team. Each of you in your respective areas work with some of our City staff but he
39 came away with a group in the past that had raised \$3,000 to \$4,000. We had only six
40 weeks to be organized and up and running. They set a goal of \$10,000 which is
41 unheard of. They raised a record amount of money. Thanks to the Fourth Street
42 Merchants' Association, Terry Shaw arranged for what would be known as the Lake
43 Mary City Commission Basket. It was stunning and there was over \$600 of
44 merchandise in that basket. He thanked Terry and the Fourth Street Merchants'
45 Association for putting that together. You've seen the dedication of the City staff. What
46 he appreciates is this is beyond the job that they do. The creativity, talent and

1 dedication he was so thankful for that fleeting moment in time. He had an opportunity to
2 work with them in a capacity he doesn't normally see. It was most impressive. He
3 thanked those involved.

4
5 Commissioner Miller said he attended the State of the City meeting and wanted to
6 comment on how colorful the presentations were: pink, yellow and green. He said he
7 had been to quite a few business presentations in his 38 years with AT&T and Lucent
8 and had never seen a better presentation by three people. Our Mayor is a great
9 spokesperson to get up and do the color. He was proud of the City for that
10 presentation. He told each of them when it was over how well they did.

11
12 Commissioner Miller said he went to Metroplan Orlando this morning. We got feedback
13 on the legislative session. Not everything was good news. The right-of-way issue for
14 utilities passed. It passed with right-of-way excluded but easements included and was
15 not sure exactly what that meant. For some communities it is a disaster because they
16 are really going to get stuck. The League of Cities tried their best but didn't make it.

17
18 Commissioner Miller said he was supposed to attend CALNO. He went to Sanford but
19 the meeting was in Oviedo.

20
21 Commissioner Lucarelli thanked everyone who worked on the project for the CRA. We
22 didn't get 100% of what we wanted but got 90% and the ability to go back and ask for
23 more. She was unable to be there because she had another engagement but did send
24 e-mails and contacted the Commissioners, Tom (Tomerlin), John (Omana), and Brady
25 (Lessard) with CPH. They did a great job presenting. She received a call from Bob
26 Dallari. We got the \$375,000 amount approved with the ability to come back and ask
27 for more should we need it. Staff has been working with DOT to try and resolve as
28 many underground utility issues and things that may muck up the works as we do that
29 project and move forward with it. She said she was very pleased to have finally
30 accomplished something in our little slice of the CRA. Kudos to staff and Jackie (Sova)
31 for their hard work.

32
33 Commissioner Lucarelli said she attended the League of Cities dinner. Last year we
34 gave a first lifetime achievement award to Mayor Land hours before he passed away so
35 they named it the John Land Award. This year that was presented to Congressman
36 Mica for everything he does for the State of Florida as well as the cities.

37
38 Mayor Meador said we had a work session about the CRA and in many ways it is a
39 gateway to the City of Lake Mary and is a gateway to Seminole State College. Now
40 because of the County's investment in what was the Flea World property, Reagan
41 Place, this is almost a gateway to that project. It was very disturbing in that the original
42 report had that we would receive no funding. To stop and think where we are right now
43 is a testament to persistence and Commissioner Lucarelli was diligent during that entire
44 process. She always represented us most effectively and commended her for that.

45
46 Deputy Mayor Duryea welcomed back the City Manager.

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13. City Attorney's Report

Ms. Reischmann said she wanted to bring up the Florida Supreme Court decision that was in the newspaper about the Public Records Act where there was a split in the appellate courts about how the attorneys' fees would be awarded if a government did everything right but made a reasonable mistake and whether attorneys' fees would still be awarded against them and the Florida Supreme Court said yes. They emphasized that access to public records is the lynchpin of our system and it's a constitutional right so we have to read the law very narrowly. Everybody is going to get attorneys' fees if that ends up prevailing in the lawsuit regardless of the reason why. That's the new law.

Ms. Reischmann said the worker's comp is going to go up because the statute that limited attorneys' fees was overturned. Things are going to change in that world rapidly. A whole lot of attorneys left that area of law because it was no longer lucrative and now they are going to come swarming back.

Mayor Mealar said to the gentleman that is working on his Eagle Scout award that is a remarkable accomplishment. In Lake Mary we were very fortunate in that one of the citizens that came here in 1925 was in the first Boy Scout troop in America, Troop 1 out of Jacksonville, Florida, and his picture appears in the Lake Mary Museum.

14. Adjournment

There being no further business, the meeting adjourned at 7:35 P.M.

David J. Mealar, Mayor

Mary Campbell, Deputy City Clerk

ATTEST:

Carol A. Foster, City Clerk