

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

4  
5  
6 1. Call to Order  
7

8 The meeting was called to order by Mayor David Mealor at 7:02 P.M.  
9

10 2. Moment of Silence  
11

12 3. Pledge of Allegiance  
13

14 4. Roll Call  
15

16 Mayor David Mealor	Jackie Sova, City Manager
17 Commissioner Gary Brender	Carol Foster, City Clerk
18 Deputy Mayor George Duryea	John Omana, Community Development Dir.
19 Commissioner Sidney Miller	Steve Noto, City Planner
20 Commissioner Jo Ann Lucarelli	Bryan Nipe, Parks & Recreation Director
21	Bruce Paster, Public Works Director
22	Tom Tomerlin, Economic Development Dir.
23	Joe Landreville, Deputy Fire Chief
24	Steve Bracknell, Police Chief
25	Katie Reischmann, City Attorney
26	Mary Campbell, Deputy City Clerk
27	

28 5. Approval of Minutes: May 19, 2016  
29

30 **Motion was made by Commissioner Brender to approve the minutes of the May**  
31 **19, 2016, meeting, seconded by Commissioner Lucarelli and motion carried**  
32 **unanimously.**  
33

34 6. Special Presentations  
35

36 A. Special Recognition: Pfc. Johnny Thomson & John Kelly – Lake Mary Police  
37 Department  
38

39 Chief Bracknell said tonight he had the privilege to present awards to two officers. He  
40 asked Pfc. Johnny Thomson and Pfc. John Kelly to come forward.  
41

42 Chief Bracknell said this is a presentation of the Police Department's Lifesaving Awards.  
43 On April 13<sup>th</sup> of this year, Patrolmen First Class John Thomson and John Kelly  
44 responded to the area of Lake Mary Boulevard and Primera Boulevard in reference to a  
45 reported suspicious incident. The caller advised there was a motorist partially blocking  
46 traffic and appeared to be unconscious in his vehicle. Pfc. Kelly and Pfc. Thomson

1 arrived and recognized the male was in need of emergency medical assistance as they  
2 tried to wake him up. They were able to obtain their issued automatic emergency  
3 defibrillators and began monitoring the motorist. At one point they were unable to  
4 detect a pulse and working as a team they performed CPR until our Fire Department  
5 arrived and took over the lifesaving efforts. He said Mr. Jay Weaver was transported to  
6 the hospital and it was later learned he made a recovery. Mr. Weaver's family reported  
7 that the medical personnel at the hospital said without the medical intervention by Pfc.  
8 Thomson and Kelly that Mr. Weaver would not be here today. The City of Lake Mary  
9 and the Lake Mary Police Department would like to thank Pfc. Thomson and Pfc. Kelly  
10 for their quick actions of rendering CPR and saving Mr. Weaver's life. He said Mr.  
11 Weaver is here tonight and would like to say a few words.

12  
13 Jay Michael Weaver, 112 Hazelcrest, Deltona, Florida, came forward. He said he would  
14 like to thank these gentlemen from the bottom of his heart. I feel badly that every time  
15 they seem to do something wrong it's all over the news but when they do something  
16 right you never hear about it. If it wasn't for them he probably wouldn't be able to speak  
17 or walk. As a result of it he has short term memory. They went above and beyond their  
18 job and they definitely deserve this. They did their job excellently; however, beware of  
19 Obamacare. Beware of your hospitals. The hospital is the one that poisoned him and  
20 caused this. Twenty-one days later, they put a defibrillator in him and put it in wrong so  
21 still to this day at any minute he could go. Not to take anything away from them  
22 because if it wasn't for them he would have been gone that day. He said he was very  
23 appreciative from the bottom of his heart.

24  
25 Mayor Meador said they appreciated Mr. Weaver sharing with them. The Commission  
26 greatly appreciates his comments and concern. Later in the agenda we will be dealing  
27 with the issue of healthcare.

28  
29 Mr. Weaver said if there is any way they could, it seriously needs to be dealt with. It is  
30 virtually a crime.

31  
32 Mr. Weaver presented the lifesaving awards to Pfc. Thomson and Pfc. Kelly.

33  
34 Chief Bracknell read the plaques: The City of Lake Mary Police Department to Pfc.  
35 Johnny Thomson and Pfc. John Kelly for your dedication to service and teamwork  
36 efforts in the protection of life by quickly administering lifesaving CPR for a person in  
37 medical distress. Thank you from the members of the City of Lake Mary for a job well  
38 done.

39  
40 Mayor Meador presented the plaques to Officers Kelly and Thomson. Their families are  
41 here and they have every reason to be proud.

42  
43 B. Proclamation – Code Enforcement Appreciation Week

44  
45 The City Attorney read a proclamation proclaiming the week of June 6 through June 10,  
46 2016, as "Code Enforcement Officers Appreciation Week".

1  
2 Mayor Mealor presented the proclamation to Senior Code Enforcement Officer Bruce  
3 Fleming. We know he is put in difficult circumstances but he does his job in such a  
4 professional manner and it reflects positively on all of them.

5  
6 Mayor Mealor acknowledged a college student from Seminole State College with us as  
7 part of a course assignment. All students are welcome at any time. If there are  
8 additional questions please do not hesitate to contact any member of the City  
9 Commission.

10  
11 Mayor Mealor acknowledged a boy scout from Troop 263. He is working on his Eagle  
12 Scout. As he works toward that honor, one of the things he is learning is the concept of  
13 leadership. The proclamations awarded tonight was that personified. If we can be  
14 helpful don't hesitate to reach out to us.

15  
16 Mayor Mealor said this past Thursday evening we had the ribbon cutting for Florida  
17 Hospital Lake Mary ER. Where the out buildings behind that facility were problematic  
18 and because of the work of this Commission and our City Manager, Florida Hospital's  
19 Vice President Doug Harkem presented to him and the Commission a memento  
20 referred to as Stonehenge. He said Stonehenge is the most positive term he has ever  
21 had the out buildings refer. We are so pleased to have Florida Hospital in our  
22 community. They are a great corporate neighbor.

23  
24 7. Citizen Participation – This is an opportunity for anyone to come forward and  
25 address the Commission on any matter relating to the City or of concern to our  
26 citizens. This also includes: 1) any item discussed at a previous work session;  
27 2) any item not specifically listed on a previous agenda but discussed at a  
28 previous Commission meeting; or 3) any item on tonight's agenda not labeled as  
29 a public hearing. Items requiring a public hearing are generally so noted on the  
30 agenda and public input will be taken when the item is considered.

31  
32 No one came forward at this time and citizen participation was closed.

33  
34 Mayor Mealor acknowledged the liaisons from the Forest community. He thanked them  
35 for the job they do.

36  
37 8. Unfinished Business

38  
39 A. Ordinance No. 1542 – Amending Chapter 130 of the code of Ordinances  
40 entitled “General Provisions” to repeal Sections 130.01 – 130.05 and amend  
41 Section 130.06 and adding a new section governing curfews – Second  
42 Reading (Public Hearing) (Jackie Sova, City Manager

43  
44 Mayor Mealor said we will have the City Attorney read Ordinances Nos. 1542, 1543 and  
45 1544. We will discuss them as a group but will vote on them individually.

1 The City Attorney read Ordinance No. 1542, Ordinance No. 1543, and Ordinance No.  
2 1544 by title only on second reading.

3  
4 Ms. Sova had no further comments at this time.

5  
6 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1542,  
7 Ordinance No. 1543, and/or Ordinance No. 1544. No one came forward and the public  
8 hearings were closed.

9  
10 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1542 on**  
11 **second reading, seconded by Commissioner Miller and motion carried by roll-call**  
12 **vote: Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner**  
13 **Miller, Yes; Commissioner Lucarelli, Yes; Mayor Meador, Yes.**

14  
15 B. Ordinance No. 1543 – Repealing Chapter 131 of the Code of Ordinances  
16 entitled “Safety” – Second Reading (Public Hearing) (Jackie Sova, City  
17 Manager)

18  
19 Ordinance No. 1543 was read by title only and public hearing held under Item A.

20  
21 **Motion was made by Commissioner Brender to approve Ordinance No. 1543 on**  
22 **second reading, seconded by Commissioner Lucarelli and motion carried by roll-**  
23 **call vote: Deputy Mayor Duryea, Yes; Commissioner Miller, Yes; Commissioner**  
24 **Lucarelli, Yes; Commissioner Brender, Yes; Mayor Meador, Yes.**

25  
26 C. Ordinance No. 1544 – Repealing Chapter 133 of the Code of Ordinances  
27 entitled “Safety” – Second Reading (Public Hearing) (Jackie Sova, City  
28 Manager)

29  
30 Ordinance No. 1544 was read by title only and public hearing held under Item A.

31  
32 **Motion was made by Commissioner Miller to approve Ordinance No. 1544 on**  
33 **second reading, seconded by Commissioner Lucarelli and motion carried by roll-**  
34 **call vote: Commissioner Miller, Yes; Commissioner Lucarelli, Yes; Commissioner**  
35 **Brender, Yes; Deputy Mayor Duryea, Yes; Mayor Meador, Yes.**

36  
37 9. New Business

38  
39 A. Resolution No. 983 – Accepting Improvements in Crystal Reserve Subdivision  
40 (John Omana, Community Development Director)

41  
42 The City Attorney read Resolution No. 983 by title only.

43  
44 Mr. Omana said this is where he gets excited about residential subdivisions because it  
45 shows they are at a juncture where they are building and selling homes, improvements  
46 are finished, and things are looking really nice.

1  
2 Mr. Omana said the Crystal Reserve Subdivision is located on Crystal Drive just north of  
3 Lake Mary Boulevard. He showed the location map on the overhead. It is a 16-lot  
4 subdivision. Pulte Homes (the developer) is requesting that the City accept the  
5 improvements that are located within Crystal Drive. As part of that procedure we  
6 require the applicant to post surety for purposes of covering maintenance of those  
7 improvements for a period of two years from the issuance of the Certificate of  
8 Completion. Concurrent with this process, we are respectfully asking the Commission  
9 to release the Performance Bond in the amount of just over \$322,000. Since the  
10 improvements have already been completed and inspected and determined to meet  
11 code, it is appropriate to have the Commission act and return the Performance Bond.  
12

13 Mr. Omana said as a point of information, the developer or the future HOA will be the  
14 owners and will have the maintenance responsibility of the internal roadway within the  
15 subdivision as well as the drainage pond and appurtenances associated with that  
16 system.  
17

18 Mr. Omana said we recommend the Commission take the following action: Accept the  
19 Crystal Reserve Subdivision public improvements as outlined in the packet, approve the  
20 maintenance guarantee in the form of a Surety Bond which is 10% of the cost of the  
21 engineered improvement which is included in the packet, and direct staff to return the  
22 Performance Bond in the amount of \$322,423.69 to the applicant.  
23

24 **Motion was made by Commissioner Lucarelli to approve Resolution No. 983,**  
25 **seconded by Commissioner Brender.**  
26

27 Mayor Mealor asked the City Attorney if all three actions should be singled out.  
28

29 Ms. Reischmann said Nos. 1 and 2 are encompassed in Resolution No. 983 so it would  
30 just be directing the return of the performance bond.  
31

32 **Amended motion was made by Commissioner Lucarelli to approve Resolution**  
33 **No. 983 and direct staff to return the Performance Bond in the amount of**  
34 **\$322,423.69 to the applicant, seconded by Commissioner Brender and motion**  
35 **carried unanimously.**  
36

37 B. Ordinance No. 1545 – Repealing Chapter 132 of the Code of Ordinances  
38 entitled “Offenses Against Persons and Property”, creating a new Section  
39 157.24 “Injuring Shade Trees”, and amending Section 4 “Sign Permits and  
40 Construction and Maintenance Standards” of Appendix I “Sign Code” to  
41 incorporate sign restrictions being repealed – First Reading (Public Hearing)  
42 (Steve Noto, City Planner)  
43

44 The City Attorney read Ordinance No. 1545 by title only on first reading.  
45

1 Mr. Noto said these are a number of cleanup items. We are changing the regulatory  
2 table along with the repeal of Chapter 132. The items being shifted are being moved to  
3 more appropriate sections of the code such as the landscape code. The sign regulation  
4 changes deal with building and safety standards and some glare issues. The shade  
5 tree item deals with injury to trees that are owned by the City. Supplemental information  
6 to our standard landscape code deals with everything else with landscaping such as  
7 permitting, landscape buffers, and things of that nature.

8  
9 Mr. Noto said we took this item to the Planning & Zoning Board meeting of May 24<sup>th</sup> and  
10 they unanimously recommended approval 5 – 0 with three conditions. We spoke with  
11 the City Attorney about all three. Based on our discussion Conditions 1 and 3 are not  
12 necessarily required. Condition No. 2 we will make that change prior to second reading.

13  
14 Ms. Reischmann gave an explanation. On No. 1, the condition P&Z requested makes  
15 total sense it would only be an intentional injury to a shade tree. This has been in our  
16 code for years and there has never been a prosecutorial misconduct to charge  
17 somebody with this for an unintentional act. She didn't think there would be and is  
18 probably understood.

19  
20 Ms. Reischmann said on No. 3 the concern was that the standard was too general  
21 about causing glare and impairing motorists. It is true that it is a general standard but  
22 that is the same exact standard that's in the Florida Statutes and it has never been  
23 challenged by anyone that she knew of. It's been upheld and thought it was helpful to  
24 have a general standard rather than a specific metric as to what constitutes glare.

25  
26 Commissioner Brender said we are not giving away anything to the state. We are  
27 enforcing our tree standards and sign standards as we have in the past.

28  
29 Ms. Reischmann said that was correct. This is just moving them to an appropriate  
30 section of the code.

31  
32 Commissioner Brender said the same thing with the lighting aspect. He addressed a  
33 complaint that he had gotten to Steve earlier regarding glare from some lights on a  
34 building. We are not meeting some state code that they say is okay but we may not say  
35 is okay. We are just moving it to an appropriate place.

36  
37 Ms. Reischmann answered affirmatively.

38  
39 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1545. No  
40 one came forward and the public hearing was closed.

41  
42 **Motion was made by Commissioner Brender to approve Ordinance No. 1545 on**  
43 **first reading, seconded by Commissioner Lucarelli.**

44  
45 Commissioner Miller questioned if they should make mention of the condition in the  
46 motion.

1  
2 Ms. Reischmann answered negatively. If you are approving the ordinance as it is, we  
3 would add the gender him/her rather than just him.

4  
5 Mayor Mealor said that would be brought to us on second reading.

6  
7 Ms. Reischmann answered affirmatively.

8  
9 **Motion carried by roll-call vote: Commissioner Lucarelli, Yes; Commissioner**  
10 **Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner Miller, Yes; Mayor**  
11 **Mealor, Yes.**

12  
13 10. Other Items for Commission Action

14  
15 There were no items to discuss at this time.

16  
17 11. City Manager's Report

18  
19 A. Items for Approval

20  
21 1. Employee Health Insurance

22  
23 Ms. Sova said the first item is in regards to our employee health insurance. This is our  
24 second largest recurring cost behind salaries every year. We do look at it very carefully.  
25 The market has changed. Regulations have changed and we have to be very careful  
26 what we do. This is very important to employees and we all feel that way. About four  
27 years ago we made the decision to move to a self-insured health plan and opened up  
28 the Employee Wellness Center with basically the profit the insurance company would  
29 make from us. That has worked very well. We have saved nearly 70% on our  
30 prescription cost plan. We have saved overall. She said she never promised the  
31 program to be that kind of a savings but we have saved overall.

32  
33 Ms. Sova said at renewal time the first quote she got was at the 50% range. Our broker  
34 negotiated down to 39.4% and she promptly came to the Commission and said we need  
35 a new broker. We got a new broker, Gallagher Benefit Services. They did get  
36 responses from all the big companies: Florida Blue, United Health, Human, Cigna, and  
37 the Public Risk Management Health Trust. Public Risk Management is how we have  
38 our property and casualty insurance and that trust has been around many years. There  
39 are 47 public entities in that trust. She said she was familiar with most of those people.  
40 What that would do is spread out claims exposure and experience over 6,100  
41 employees and then the dependents that would go along with that. When we look at  
42 renewal we're not looking at our small group; the risk is spread considerably. Attached  
43 to the packet shows what the market trend is and the type of renewal percentages that  
44 have happened in the trust over the past ten years.

1 Ms. Sova said in the end we did select PRM Health Trust as being our best option. We  
2 moved away from an HMO plan. The HMO platform is what caused a lot of us some  
3 grief this past year. It wasn't so much Florida Blue but the health plan we had. Doctors'  
4 offices would see the word HMO and everything would come apart.

5  
6 Ms. Sova said a lot of employees wanted a buy-up plan back. Last year there was an  
7 11% discount by consolidating into one plan and after two high-risk years we were in no  
8 shape to do anything but take the 11% discount. This year we have selected two plans  
9 that look as familiar as they can to what we have had in the past. We are going to offer  
10 a buy-up plan to employees who wish to pay for that coverage. The rates are in the  
11 agenda packet. What the City will be paying will be \$655.66 per employee per month  
12 and that is just for the health care. If somebody wants the buy-up plan they pay the  
13 difference between the \$655.66 up to \$775.00 for a family.

14  
15 Ms. Sova said we would be using Public Risk Management of Florida through the  
16 Florida Blue network. The agents at Florida Blue handle only PRM and they are very  
17 familiar with the plans and how everything works. They don't have other clients to work  
18 between. They are only for the health trust. We would have a member on the health  
19 trust. We would appoint someone, probably Wanda Broadway. We will have someone  
20 on the health trust and go to the quarterly meetings and be there for when the health  
21 trust makes the votes on how they want to continue forward and how they are going to  
22 proceed. We will get our own individual renewal each year based on our own  
23 experience, but that experience is spread considerably.

24  
25 Ms. Sova asked the Commission to authorize the City Manager to execute the contract  
26 and by-laws with PRM of Florida Health Trust and the Voya Disclosure Agreement.  
27 Voya does the re-insurance for our healthcare benefits.

28  
29 Mayor Mealar said Ms. Sova and her team worked diligently to try to maintain the cost  
30 structure and he appreciated that.

31  
32 **Motion was made by Commissioner Lucarelli to authorize the City Manager to**  
33 **execute the contract and by-laws with Public Risk Management of Florida Health**  
34 **Trust and the Voya Disclosure Agreement for healthcare benefits, seconded by**  
35 **Commissioner Miller and motion carried unanimously.**

36  
37 2. Professional Debris Removal Services Contract Extensions

38  
39 Ms. Sova said this item is for professional debris removal services to extend the  
40 contracts that we have. We have a three-year contract with TAG Grinding Services.  
41 They were our primary provider for disaster response. The terms of that agreement  
42 allow for an extension by mutual agreement for two more years.

43  
44 Ms. Sova said we also have a three-year contract with CrowderGulf as a secondary for  
45 disaster recovery services. They would like to extend their contract for two years.  
46 These are the people who would come in after the hurricanes.

1  
2 Ms. Sova requested the Commission authorize the City Manager to extend the  
3 contracts with TAG Grinding Services and CrowderGulf respectively for professional  
4 debris removal services for the next two years.

5  
6 **Motion was made by Commissioner Miller to authorize the City Manager to extend**  
7 **the contracts with TAG Grinding Services and CrowderGulf for professional**  
8 **debris removal services for a two-year period, seconded by Commissioner**  
9 **Lucarelli and motion carried unanimously.**

10  
11 3. Surplus Scanner

12  
13 Ms. Sova said the next item is to surplus a scanner. She requested the Commission  
14 surplus scanner No. DG340190. We are diligently doing a lot of scanning so there will  
15 be some more surplus scanners because we are wearing them out.

16  
17 **Motion was made by Commissioner Brender to declare Scanner No. DG340190**  
18 **surplus and authorize the City Manager to dispose of, seconded by**  
19 **Commissioner Lucarelli and motion carried unanimously.**

20  
21 B. Items for Information – None

22  
23 C. Announcements

24  
25 Ms. Sova said the car show will return to Central Park on June 12<sup>th</sup> from 11:00 A.M. to  
26 2:00 P.M.

27  
28 Ms. Sova said treat yourself to dinner at Papa John's on Lake Mary Boulevard and Dine  
29 for the Dogs June 14<sup>th</sup> from 5:00 P.M. to 8:30 P.M. A portion of the bill will be donated  
30 to keep our four-legged heroes ready for action. You can meet Canine Neso and  
31 handler Pfc. DelGenio and Canine Urs with Officer Wheeler at that event.

32  
33 Ms. Sova said we received our required notification from the Property Appraiser's office  
34 that our preliminary estimates and taxable value showed a 5% increase over last year.

35  
36 12. Mayor and City Commissioners' Reports (1)

37  
38 Mayor Mealor said under the Mayor's Report there is an item that requires the  
39 Commission's attention. On the Police Pension Board, Dick Fess would like to continue  
40 in that role. He said Mr. Nipe has a vacancy on the Parks & Rec Board and Amy  
41 Pennock has been brought forward. The action we would need is for the Commission  
42 to reappoint Mr. Fess to the Police Pension Board and appoint Ms. Pennock to the  
43 Parks & Recreation Advisory Board.

1 **Motion was made by Commissioner Lucarelli to reappoint Dick Fess to the Police**  
2 **Pension Board and appoint Amy Pennock to the Parks & Recreation Advisory**  
3 **Board, seconded by Commissioner Brender and motion carried unanimously.**  
4

5 Mayor Meador thanked Mr. Fess. He has been conscientious working with the group.  
6 He said it was nice to have Ms. Pennock on board with the volunteer effort. He knew  
7 what she has done in this community and we look forward with her serving on the Parks  
8 & Recreation Advisory Board.  
9

10 Commissioner Brender said he attended the Florida Hospital ER grand opening. It's a  
11 magnificent building and was thoroughly impressed with the tour.  
12

13 Commissioner Brender said he missed the CALNO meeting last night. He will be off of  
14 that for the summer until they reconvene in September.  
15

16 Deputy Mayor Duryea commended the City of Sanford on their Memorial Day Parade.  
17 They did a very good job and everybody was very enthusiastic. It was very well  
18 attended and he enjoyed it. It was good for the veterans.  
19

20 Commissioner Miller said he attended the grand opening of the Florida Hospital  
21 Emergency Room. Most of the people there were residents of Timacuan. The  
22 comments were generally about the emergency room has increased the value of our  
23 homes. It's comforting to know that when you need to go to an emergency room you  
24 are two minutes away.  
25

26 Commissioner Miller said he attended the Municipal Advisory Committee of Metroplan  
27 Orlando and it was the most stimulating MAC meeting he had ever been to. There are  
28 some funds that haven't been used that suddenly became available. There is \$3.1  
29 million. The staff presented a recommendation of what to do with those funds.  
30 However at the same time a discussion came up about Governor Scott just vetoed \$10  
31 million that was to be used for quiet zones. There was \$4 million still in the fund and  
32 had not been used. Governor Scott said if you are not going to use what you've got  
33 why would I give you more. There were three cities (Windermere, Edgewater and  
34 Longwood) that were very aggressive about trying to apply those undistributed funds  
35 back to quiet zones. There was spirited discussion about this in the meeting. We  
36 should talk about quiet zones here. They don't call it quiet zones anymore. They want  
37 to call it quiet safe zones because the changes they make to put in a quiet zone also  
38 make the intersections more safe. Mayor Durso already had an accident at one of his  
39 intersections and he is very much wanting the funds to get that done.  
40

41 Commissioner Miller said in the discussion it came up that the reason they had not  
42 spent the money was when they went out and got the estimates to get the work the  
43 estimates came in three times higher than what was in the budget to do the work. He  
44 said the reason he was telling them this is because he may have done something  
45 wrong. When he says wrong he meant "misguided". The discussions he had about  
46 quiet zones he didn't think we had any skin in the game. He thought Seminole County

1 was handling ours but this may be our money that he should have fought for. He  
2 thought the staff recommendation to put it in the Maitland project as a placeholder and  
3 then look at everyone and distribute the \$3 million was the better way of approaching it.  
4 The vote on where to put the money went ten to one for putting it to the cities that lost  
5 their quiet safe zone money. He said he had a discussion with Chief Bracknell about  
6 what could be done with our intersection and walked away from that believing that it  
7 could be done at a relatively low cost. He said he was fessing up and may have been  
8 misguided in what he was doing today.

9  
10 Mayor Meador asked Mr. Omana to update the Commission.

11  
12 Mr. Omana said he would provide an overview of what they have been dealing with over  
13 the past year. In reference to Commissioner Miller's comment about the incorporation  
14 of the quiet zones into our city limits that it would be a relatively small amount, he  
15 concurred with that statement. When we jumped into this, we as a staff asked some  
16 technical questions, some very difficult questions, and we ended up bringing on board  
17 Tim Dietrich, our railroad consultant, who was able to put all the variables in the  
18 equation. Upon cranking that crank concluded that improvements for Lake Mary  
19 Boulevard and South Country Club would amount to roughly just over \$50,000 to make  
20 those acceptable quiet zones. He said Commissioner Miller's original assessment was  
21 an accurate one. We took the same position that we could do this for just over \$50,000.

22  
23 Mr. Omana said with that information in hand and with the direction of the City  
24 Commission and the guidance of the City Manager, we conducted dialogues with  
25 Seminole County. At that time Brett Blackadar was leading the effort on the quiet  
26 zones. We conducted dialogue to consolidate our efforts and present the Seminole  
27 County Quiet Zones to the federal folks and FDOT folks and all the regulatory agencies  
28 with those figures in mind. During that process FDOT came back and said we know  
29 you folks in Seminole County have submitted design plans and design standards for  
30 what you believe the quiet zones in your respective jurisdictions will be, but there is  
31 another section that should have been applied. As a result of that, FDOT said you have  
32 to go back to the drawing board.

33  
34 Mr. Omana said let's focus back to his example of the \$50,000 cost based on the  
35 analysis by our consultant. When FDOT came back and said in the middle of the  
36 process "Time out folks. We've got to revisit this", what that did was to take the Lake  
37 Mary Boulevard crossing and increase it by roughly \$350,000 because that would  
38 include quadding the actual crossings and putting four gates on that crossing. Our  
39 response to that was we have a methodology from a consultant who is certified in this  
40 business telling us you don't have to do that.

41  
42 Mr. Omana focused now to South Country Club. On South Country Club the consultant  
43 basically said you could put some separators that jut out. Take separators from the  
44 ends and go out to 100 feet on one side and 75 feet on the other side. It's a concrete  
45 type material and acceptable engineering material. It's not a substantial amount of  
46 money. FDOT came back and said "Time out. You need to factor some other elements

1 in". That also increased by roughly \$40,000 to \$50,000 to which we responded we just  
2 spent a boatload of money on a consultant who tells us we can do this for just over  
3 \$50,000. We were perplexed with this whole issue of FDOT jumping in in the middle of  
4 the process and essentially changing the rules. This is what has transpired over the last  
5 year.  
6

7 Mr. Omana said about two weeks ago he sent an e-mail to Seminole County requesting  
8 an update as to what was going on. They highlighted a number of variables. The first  
9 variable was that we understand there is some money out there available and that we  
10 the County on behalf of all the cities would like to go back and apply for those grant  
11 monies to see if we can make up the difference between what we all understood this  
12 thing was going to cost and what FDOT is now saying it would cost for the respective  
13 improvements. In the e-mail he received from Tony Nelson of County staff, he indicated  
14 that the County was awarded a grant in the amount of \$737,000 +/- to afford the cities  
15 within Seminole County the opportunity to improve their respective quiet zones. We as  
16 a staff asked what happens to the methodology that was recognized before in the  
17 respective study that we did that said it's going to cost just over \$50,000. We are  
18 waiting for that response.  
19

20 Mr. Omana said another issue that came up in that e-mail from the County was that on  
21 June 14<sup>th</sup> the Board of County Commissioners was going to consider an amendment to  
22 the FDOT funding agreement. Our question is what is that all about. We have no  
23 details on that whatsoever.  
24

25 Mr. Omana said the third comment raised that we had a concern about was that if an  
26 amendment to the funding agreement is going forward to the BCC, how can that be  
27 done if the FDOT is still in the process of designing and determining what exactly is  
28 going to happen at each crossing. It left us a bit perplexed.  
29

30 Mr. Omana said the other item is we raised questions as to the engineering drawings  
31 and exhibits that were submitted for our review. One of the exhibits showed the north  
32 side as you are going westbound on Lake Mary Boulevard as a quad gate. Picture four  
33 gates on that north side. For whatever reason, the south side was not quad gated. It  
34 only had a configuration of two with an option for a third gate. He again asked the  
35 question what happened to the methodology that was reviewed by the FRA folks in  
36 Washington and our consultant and was agreed upon by all the parties. That left us  
37 perplexed.  
38

39 Mr. Omana said with all that said, we have submitted to Seminole County, he has been  
40 in contact with the FDOT representatives, and we want answers to these questions. In  
41 the e-mail forwarded to him by the County, it indicated if there are any differences in the  
42 funding there is a possibility they will be coming to each city to make up the difference.  
43 Mr. Omana said time out. We need to take a look at this in more detail and  
44 communicated this to the City Manager.  
45

1 Mr. Omana said this morning at about 5:40 he woke up to the local news and the report  
2 was that FDOT was sending out invoices to individual cities and that invoice was  
3 outlining the actual increase that they were already assigning to the local municipalities.  
4 His question is how can that be done if you haven't finished the design and what  
5 funding agreements have been amended that are going to affect the local  
6 municipalities.

7  
8 Mr. Omana said the point is this is what is happening. There is a lot of information that  
9 in his opinion is contradictory and in his opinion we need answers to what happened to  
10 our methodology and study that we paid for and you directed us to pursue with respect  
11 to the issue of the quiet zones. Our intent is to keep the City Manager posted on this  
12 matter and we'll get back to you.

13  
14 Mayor Mealor said as a point of clarification, the consultant's recommendations were  
15 reviewed by the FRA and approved.

16  
17 Mr. Omana answered affirmatively.

18  
19 Commissioner Miller asked if the FRA was the railroad.

20  
21 Mr. Omana said it is the Federal Railroad Administration.

22  
23 Mayor Mealor said we have a FDOT issue that he thought was contradictory. Back in  
24 December when we had the Chairman of the County Commission and County Manager  
25 here we talked about communication. It has gotten so much better in the last several  
26 months. This might be a perfect example if we could have the City Manager reach out  
27 to the County Manager that if a clarification is not forthcoming that the item might want  
28 to be tabled or postponed so we could discuss it at the Mayors/Managers meeting.

29  
30 Ms. Sova said she spoke with the County Manager today on this issue. The County is  
31 as baffled as we are. They cannot get responses from FDOT. She believed the June  
32 14<sup>th</sup> date was tentative that they now realize they can't meet. They feel like the funding  
33 they were assured has been yanked and they don't understand why. They think the  
34 people at FDOT are misreading the governor's call on these funds. She had nothing  
35 clear to say because FDOT is not answering anybody at the County. Ms. Sova said she  
36 was certain they would be happy to talk to us about it. We did do a joint agreement  
37 along the corridor to do these quiet zones together. When she can't get an answer from  
38 anybody she was hard pressed to give her an answer.

39  
40 Mayor Mealor said we have a congresswoman and a congressman representing in that  
41 area. He said he would reach out to the Governor and will make that a priority and see  
42 if we can't get some clarification. We have some people making some arbitrary and  
43 possibly capricious decisions that might be beyond their boundaries. He said he wasn't  
44 saying that is the case but appears it is the case and thought we needed to clarify that.

1 Ms. Sova said she thought Bob Cortez had already had some conversation with  
2 Chairman Horan. It would probably not be an unfamiliar topic.  
3  
4 Mayor Mealor said if there was no objection he would reach out to the Governor and we  
5 will also communicate to Congresswoman Brown and Congressman Mica. There were  
6 no objections from the Board.  
7  
8 Commissioner Miller said he felt like they were talking two things here.  
9  
10 Mayor Mealor said what we are talking about is we established quiet zones, we have  
11 already gone forward and know it can be done, and it has already been approved for a  
12 cost significantly less than what FDOT is saying that if you think you're going to do it  
13 you're going to have to do it this way. We are simply saying that might need to be  
14 reviewed.  
15  
16 Commissioner Miller said that is one issue. The other issue is the funding issue. The  
17 funding issue is what he was talking about initially. There is \$4 million of that grant  
18 money that was never spent and was available for our county and cities to spend to do  
19 this. They didn't spend it. There was \$10 million put in this recent budget and Governor  
20 Scott vetoed that because the \$4 million had not been spent.  
21  
22 Ms. Sova said the \$4 million couldn't be spent because of this disparity.  
23  
24 Commissioner Miller said there was \$3 million in undistributed funds that is available to  
25 be rolled in with that \$4 million. What he did was told them to put it in where they could  
26 prioritize it. The Cities of Longwood, Windermere and Edgewater were the ones that  
27 were tigers on this. They never brought up a disparity in the engineering.  
28  
29 Mr. Omana said if he were to summarize in one statement that statement would be "why  
30 did the standards change". By having those standards changed it changed the designs  
31 and the costs. It created a domino effect.  
32  
33 Commissioner Brender said he remembered a \$1.2 million price tag on something. He  
34 asked if that was the entire County.  
35  
36 Mr. Omana said he recalled a similar figure but didn't have the information in front of  
37 him and was unable to answer that.  
38  
39 Commissioner Miller said the other topic he engaged in at that meeting is FDOT, Lynx,  
40 and the Expressway Authority are there and they give reports. There was discussion  
41 earlier about the project in Lake Mary. He expressed to the Municipal Advisory  
42 Committee members that we would love to approve that in its entirety. When we look at  
43 that project it is a wonderful thing and we think it would be great, but it's a bit frightening  
44 for us to contemplate the transportation impact of that when it is finally implemented. If  
45 there is any way pressure can be brought or priorities can be changed to bring Beyond

1 Ultimate I-4 solutions back into the near future. That would make that project look  
2 better.

3  
4 Ms. Sova said we have a draft letter ready to go to the County Commission. She said  
5 Mr. Paster and Danielle Koury will be attending a meeting next Tuesday with FDOT.  
6 When we get a few items clarified from that meeting, some costs and timing, we have a  
7 draft memo for the entire Commission to sign that encourages Seminole County that we  
8 would like to continue with Rinehart Road median U-turns. We would like to move that  
9 project forward and begin that design in 2017 when our Rinehart Road project is  
10 scheduled to be designed with the sales tax money.

11  
12 Ms. Sova said the second thing is the new entrance onto I-4 off of Greenwood behind  
13 Gander Mountain. The second part of that memo would be to encourage the County to  
14 ask the state if they would move forward with that. The County has already committed  
15 in one of their own meetings to offering the state to front that money so they can get that  
16 project moving. What we are writing is for this Commission to encourage that and go  
17 forward and the County doing the heavy lifting from there to get through DOT. They are  
18 the ones that would have the kind of money to build an interchange. We would not on  
19 our own. That is another topic she and the County Manager discussed today. As soon  
20 as we get some clarity next week we will be able to get that memo to you for the  
21 support.

22  
23 Commissioner Miller said in a conversation with Representative Cortez, he mentioned a  
24 similar problem we have with that area between I-4 and Rinehart being boxed in and  
25 traffic having to go Primera or Wallace Court in and out, and he said what you need to  
26 do is contemplate the way they fixed it in Altamonte Springs with an overpass at Central  
27 Florida Parkway. If you had an overpass from Wallace Court from where this project is  
28 coming, if there was an overpass to connect to International Parkway, what you would  
29 have is the ability for all traffic to make right turns coming and going. Whenever you  
30 come to work, based on the path you decide to take, you can make right turns all the  
31 way in. It also makes it easy for engineers later on to increase right-turn lanes and  
32 make it move even faster. He said the first time he heard that was at the Seminole  
33 State College session in a private conversation with Representative Cortez.

34  
35 Ms. Sova said she worked at Altamonte when they did that project.

36  
37 Commissioner Miller asked if it did what he said.

38  
39 Ms. Sova said it got people off 436. It got the mall traffic because Central Parkway runs  
40 behind the mall. It moved the mall traffic to the west side of the city. She worked at  
41 Altamonte for 13 years and went through four iterations of 436 being widened. It  
42 relieved that traffic from behind the mall and the mall traffic to get it to the west side of  
43 the city and get it off of 436. Staff is just beginning to take a look at this project that has  
44 come in. It has barely hit our desks.

1 Commissioner Lucarelli said she attended the Florida Hospital grand opening and took  
2 a tour with Congressman Mica and got a photo op with him. It is a beautiful, wonderful  
3 facility and was glad they are here.

4  
5 Mayor Meador said there was a great deal of angst when this was proposed and to  
6 Florida Hospital's credit, they met with every group, they listened to both the residents  
7 and the business community and we have a much better project because of that  
8 involvement. He thanked everyone for their input.

9  
10 13. City Attorney's Report

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

13  
14 14. Adjournment

15  
16 There being no further business, the meeting adjourned at 8:05 P.M.

17  
18  
19  
20  
21 \_\_\_\_\_  
22 David J. Meador, Mayor

\_\_\_\_\_

Mary Campbell, Deputy City Clerk

23  
24 ATTEST:

25  
26  
27 \_\_\_\_\_  
28 Carol A. Foster, City Clerk