

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held June 19, 2014,  
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road, Lake  
3 Mary, Florida.

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1. Call to Order

The meeting was called to order by Mayor David Mealor at 7:00 P.M.

2. Moment of Silence

3. Pledge of Allegiance

4. Roll Call

- |                               |   |
|-------------------------------|---|
| Mayor David Mealor            | Jackie Sova, City Manager – Absent      |
| Commissioner Gary Brender     | Carol Foster, City Clerk – Absent       |
| Deputy Mayor George Duryea    | Dianne Holloway, Finance Director       |
| Commissioner Thom Greene      | John Omana, CDD/Acting City Manager     |
| Commissioner Jo Ann Lucarelli | Gary Schindler, City Planner            |
|                               | Steve Noto, Senior Planner              |
|                               | Tom Tomerlin, Economic Development Mgr. |
|                               | Bruce Paster, Public Works Director     |
|                               | Bryan Nipe, Parks & Recreation Director |
|                               | Steve Bracknell, Police Chief           |
|                               | Robin McKinney, Acting City Attorney    |
|                               | Mary Campbell, Deputy City Clerk        |

5. Approval of Minutes: June 5, 2014

**Motion was made by Commissioner Brender to approve the minutes of the June 5, 2014, meeting, seconded by Commissioner Lucarelli and motion carried unanimously.**

6. Special Presentations

There were no special presentations at this time.

7. Citizen Participation

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

8. Unfinished Business

There was no unfinished business at this time.

1 Mayor Mealor announced the passing of Randy Petitt (City Human Resources  
2 Manager) last evening and asked everyone to keep his wife and family in their thoughts.

3  
4 9. New Business

5  
6 A. Approval of Jobs Growth Incentive Interlocal Agreement with Seminole  
7 County for CareMed Pharmaceutical Services (Tom Tomerlin, Economic  
8 Development Manager)

9  
10 Mr. Tomerlin said for the Commission's consideration is a Jobs Growth Incentive (JGI)  
11 program between Seminole County and the City of Lake Mary. It is a jobs growth  
12 incentive for a company doing business as CareMed Pharmaceutical Services. The JGI  
13 program is a locally administered program between Seminole County and participating  
14 cities and is not a state program. It operates via agreements. There are two  
15 agreements it operates under. One is the interlocal agreement between the City and the  
16 County and the other is a program agreement that will be executed between the County  
17 and the firm itself. The program is an inducement, meaning if not for this inducement  
18 the company would not consider this area. All awards require a surety instrument. The  
19 instruments available are an irrevocable letter of credit or a performance bond issued in  
20 the name of the County for the exact amount of the incentive award.

21  
22 Mr. Tomerlin said CareMed is a specialty pharmacy. Specialty pharmacies manufacture  
23 and administer specialized, and often costly, drugs for the treatment of complex medical  
24 conditions. The list varies with what kind of therapies these specialty pharmacies  
25 supply to but oncology, cancer, rheumatoid arthritis, multiple sclerosis are the types of  
26 ailments these specialty treatments are formulated within their facility and then shipped  
27 to these patients.

28  
29 Mr. Tomerlin said CareMed headquarters is currently stationed in Lake Success, New  
30 York. This is consideration of relocation of its headquarters and its pharmacy  
31 operations to the City of Lake Mary. The agreement spells out that this would facilitate  
32 250 new jobs to the City of Lake Mary. The average annual wage would be \$50,000  
33 per year. The County average annual wage is \$40,015. The \$50,000 represents about  
34 125% of the County annual average. The capital investment being considered is about  
35 \$4.9 million.

36  
37 Mr. Tomerlin said tonight we are seeking Commission approval of execution of the JGI  
38 interlocal agreement between Seminole County and the City of Lake Mary providing for  
39 a funding split of \$250,000. That works out to a total award of \$2,000 per job. The  
40 even split would be \$250,000 for the City contribution and \$250,000 for the County  
41 contribution. Seminole County government will consider this next Tuesday (June 24,  
42 2014) at its regularly scheduled meeting.

43  
44 Mayor Mealor said this is a remarkable opportunity to continue to build quietly an  
45 industry cluster in that quadrant of the community. It has the opportunity to transform  
46 that area.

1  
2 Mayor Mealor said this evening the Acting City Manager is John Omana and the Acting  
3 City Attorney is Robin McKinney.

4  
5 **Motion was made by Deputy Mayor Duryea to authorize the Mayor to execute the**  
6 **Jobs Growth Incentive Interlocal Agreement with Seminole County for CareMed**  
7 **Pharmaceutical Services in the amount of \$250,000, representing 50% of the total**  
8 **award. Seconded by Commissioner Lucarelli.**

9  
10 Commissioner Greene said he couldn't remember when we approved the first one.  
11 What a great opportunity to pick our businesses that come to our city. We did a good  
12 job. He said he was in favor of it.

13  
14 Commissioner Brender said this one was not the slam dunk that it normally is for him.  
15 He liked brick and mortar builds. In this particular case he was finding it is in a quadrant  
16 of the City that needs some upgrading. He hoped CareMed would look into going into  
17 some type of brick and mortar if they grow more than they think. He said he usually  
18 liked these when there was a direct return to the taxpayers that is shorter than this one.

19  
20 Deputy Mayor Duryea said the personal property tax on all this new equipment is  
21 significant so there is a payback.

22  
23 Mr. Tomerlin said the tangible personal property is a great deal of the share of that \$4.9  
24 million that is being considered. In regard to where this firm is going to locate, right now  
25 it is under negotiation between the firm and the property owner. He could not say with  
26 100% certainty that it is going to go in this location. The firm has committed that they  
27 want to locate in the City of Lake Mary. He could not say with 100% certainty where  
28 this firm will locate but could only say it will be in the City of Lake Mary.

29  
30 **Motion carried by roll-call vote: Commissioner Brender, Yes; Deputy Mayor**  
31 **Duryea, Yes; Commissioner Greene, Yes; Commissioner Lucarelli, Yes; Mayor**  
32 **Mealor, Yes.**

33  
34 Mr. Tomerlin recognized Gabe De Jesus who is the program manager with the Metro  
35 Orlando EDC who has helped a great deal with this project. He also recognized Adrien  
36 Carre who is a starting sophomore and is working over the summer to develop a  
37 marketing piece to highlight the City of Lake Mary from an economic development  
38 perspective.

39  
40 Mayor Mealor said Mr. Carre is a Lake Mary High School graduate and is at the  
41 University of Virginia in Charlottesville. That is an amazing accomplishment in and of  
42 itself, and we wish him continued success. If any member of the Commission may be  
43 helpful don't hesitate to contact them.

44  
45 Mayor Mealor thanked the representative of the Orlando EDC for being present. He  
46 congratulated Mr. De Jesus for the recognition the Florida Economic Development

1 Commission bestowed on him with the economic deal of the year being the Verizon  
2 project that was spearheaded through his auspices.

3  
4 B. Ordinance No. 1510 – Rezone property at 128 West Wilbur Avenue from C-1,  
5 General Commercial, and R-1A, Residential, to DC, Downtown Centre;  
6 Paster Terry D. Baum, No Limits Church, applicant – First Reading (Public  
7 Hearing) (Steve Noto, Senior Planner)

8  
9 The Acting City Attorney read Ordinance No. 1510 by title only on first reading.

10  
11 Mr. Noto showed the zoning maps for the subject properties on the overhead. He  
12 pointed out two parcels, one zoned C-1 and one zoned R-1A. Both properties are part  
13 of the larger holdings of the First Presbyterian Church located at the northwest corner of  
14 Wilbur Avenue and North Country Club. The request for the rezoning is to go from C-1  
15 and R-1A to DC Downtown Centre.

16  
17 Mr. Noto clarified that the church is going to stay. What we have is a unique  
18 coordination between the First Presbyterian Church and No Limits Church which is  
19 currently located at 390 Longwood-Lake Mary Road. No Limits Church has found  
20 themselves in a precarious situation where they are having to vacate their current  
21 location in a very quick manner. They have been welcomed by the First Presbyterian  
22 Church folks to operate their early learning center from their location at North Country  
23 Club and Wilbur. In order for that to happen they have to do the rezoning.

24  
25 Mr. Noto said the early learning program would operate in the buildings just to the west  
26 abutting the main chapel area. They have already come in for permits for fencing for  
27 playground purposes and to keep the kids within the property. They have also  
28 submitted interior build-out permits to improve upon the structures behind the main  
29 chapel.

30  
31 Mr. Noto said they are working with DCF to get their proper licensing. Their current  
32 licensing is for 69 students and they are operating with 48, and their current hours of  
33 operation are 7:00 A.M. to 6:00 P.M. with the licensing allowing for 6:30 A.M. to 9:00  
34 P.M. They are basically taking what they have on Longwood-Lake Mary Road and  
35 moving it to the Presbyterian Church.

36  
37 Mr. Noto pointed out that the item before the Commission is for the rezoning.

38  
39 Mr. Noto had previously mentioned they were on a tight schedule. The Planning &  
40 Zoning Board heard this item on June 10<sup>th</sup> and unanimously recommended approval 4-  
41 0. It will not come back to the Commission for second reading until mid-July which is  
42 the next scheduled meeting. Until that point we will be working with the applicant in  
43 getting some paperwork together so they can provide some information to DCF and get  
44 that ball rolling so they can open in August.

1 Mr. Noto said staff has found the request to rezone from C-1 and R-1A to DC does meet  
2 code and is compatible with the Comprehensive Plan and recommends approval. He  
3 said he and the applicant were available for any questions.

4  
5 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1510.

6  
7 James Thompson 108 Oaks Court, Sanford, Florida, came forward. He asked how  
8 many of them remembered Harriett Boyd.

9  
10 Deputy Mayor Duryea asked how they could forget.

11  
12 Mr. Thompson said Pastor Terry (Baum) and his church held the funeral service for  
13 Harriett Boyd. The coincidence was there. It really wasn't appropriate but he just had  
14 to state it.

15  
16 Mayor Meador said Harriett Boyd had more medals for her accomplishments statewide  
17 and nationally than most people.

18  
19 Robert Dove came forward. He said he was asked by Mr. Omana to come back this  
20 week regarding the proactive approach he would like the City to take to regulate the  
21 volume of traffic on either street where the church is. It is no secret to those who have  
22 ever driven in rush hour traffic down Lake Mary Boulevard that Wilbur Avenue and now  
23 the street just north of the church which is where he and his daughter live on West Lake  
24 Mary Avenue. This is not 10 or 20 cars but is hundreds of cars in the two-hour span of  
25 rush hour in the morning as traffic begins to back up down Country Club at the light.  
26 They immediately start to cut through Wilbur as well as his street and then around 5:00  
27 (P.M.) to 6:30. Just coming here tonight we had to wait to pull out of our driveway.

28  
29 Mr. Dove said if there is a nursery put at the church we are behind that 100% but the  
30 City owns a park just on the opposite side of West Lake Mary Avenue down Country  
31 Club about three blocks on the left-hand side. The art studio uses that in the summer  
32 and a lot of young people are using that park. We've been here since 1998 and have  
33 seen a lot of close calls there from young people running behind cars and traffic going  
34 too fast. It is a cut through. Traffic begins to back up at this light (Country Club and  
35 Lake Mary Boulevard) and as soon as it begins to back up anybody wanting to turn left  
36 on Country Club goes down Fifth Street. They either fly down Wilbur. The intersection  
37 at Wilbur and Country Club is not an easy intersection to navigate so most people know  
38 instead of approaching opposite traffic trying to figure out who goes and who does what  
39 they end up taking a left and cutting through our street and we don't leave our house for  
40 two hours. If there are young people at this church and young people at this facility they  
41 are inevitably going to the park. He pleaded with the City to do something about the  
42 traffic on Wilbur and West Lake Mary Avenue.

43  
44 Mayor Meador said a number of them share the concerns. In the budget presented to us  
45 last week there was a schedule of resurfacing for certain streets. The residents of  
46 Lakeview are experiencing some of the same concerns with cut-through traffic. We are

1 going to look at some type of speed calming. He said he wasn't talking about speed  
2 humps but some type of speed calming. If this is successful and they can move forward  
3 then we would probably want to do a presence at the park just to remind people to be  
4 courteous as they go through a residential area. He said he appreciated Mr. Dove  
5 bringing this to their attention. One thing that may make a difference and we are going  
6 to monitor it is two meetings ago the Commission approved signalization for West  
7 Wilbur and Country Club. It is a difficult intersection to navigate. We believe with some  
8 of the improvements it's going to make for a better situation and hopefully signalization  
9 coordination.

10  
11 Mr. Dove said there were no "No Thru Traffic" signs on either end and you were kind  
12 enough to award us those signs years ago. His wife spoke to Chief Bracknell and they  
13 have issued an officer sitting at the end of West Lake Mary Avenue. They slow down  
14 but the volume is still there.

15  
16 Mayor Mealor said it is part of a larger issue and not just Mr. Dove and his street. It is  
17 part of a larger concern community-wide. It is time as we start to become more  
18 attractive to a number of people that we try to get ahead of this.

19  
20 No one else came forward and the public hearing was closed.

21  
22 **Motion was made by Commissioner Brender to approve Ordinance No. 1510 on**  
23 **first reading, seconded by Commissioner Lucarelli.**

24  
25 Commissioner Greene said as Mr. Noto indicated this is simply a rezoning. We have  
26 the opportunity before the final product is put together to deal with these issues that  
27 were brought up.

28  
29 Mayor Mealor said it is important because some of the same issues were brought up at  
30 the P&Z meeting. We don't want to do something in isolation although technically that  
31 is our charge on this particular item, but as stewards we are looking at the bigger  
32 picture.

33  
34 **Motion carried by roll-call vote: Deputy Mayor Duryea, Yes; Commissioner**  
35 **Greene, Yes; Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Mayor**  
36 **Mealor, Yes.**

37  
38 C. Resolution No. 940 – Vacate a portion of North First Street, a 24.47-foot wide  
39 right-of-way; Station House Apartments, LLC/Justin Sand, applicant (Public  
40 Hearing) (Steve Noto, Senior Planner)

41  
42 The Acting City Attorney read Resolution No. 940 by title only.

43  
44 Mr. Noto said if it is the desire of the Commission the next item on the agenda is related  
45 and would combine the presentations. There were no objections from the Board.

1 Mr. Noto showed a snapshot of both items on the overhead. This is a housekeeping  
2 item. The applicant, EPOCH Properties, hired a new surveyor and he found additional  
3 right-of-way in the First Street area as part of the right-of-way maintenance maps. The  
4 area shaded in yellow is the portion of the right-of-way that will be part of the Right-of-  
5 Way Use Agreement and the portion shaded in green is the portion that will be vacated.  
6 As it relates to the area going into the right-of-way use amendment, it will be combined  
7 with the other portion of First Street as part of that long-term lease that has a renewal  
8 and then this vacate will be done as any other vacate.

9  
10 Mr. Noto noted the applicant was present. He stated staff recommends approval.

11  
12 Mr. Noto said the Planning & Zoning Board unanimously recommended approval 5 – 0  
13 at their May 27<sup>th</sup> meeting.

14  
15 Deputy Mayor Duryea asked how this fell through the cracks. He asked if this was an  
16 afterthought or something being added to the original.

17  
18 Mr. Noto said based on communication we received, it appears something fell through  
19 the cracks during closing. It is not clear as to whose issue it was but when they brought  
20 on that new surveyor it appears he took something else into consideration via the right-  
21 of-way maintenance maps. He presented us and EPOCH with Florida Statute  
22 information and based upon that we had to move forward to clean this up based on his  
23 professional opinion.

24  
25 Commissioner Brender said it was his understanding there is a building on that right-of-  
26 way.

27  
28 Mr. Noto said that was correct.

29  
30 Mayor Mealor asked if anyone wanted to speak in reference to Resolution No. 940. No  
31 one came forward and the public hearing was closed.

32  
33 **Motion was made by Deputy Mayor Duryea to approve Resolution No. 940,**  
34 **seconded by Commissioner Brender and motion carried by roll-call vote:**  
35 **Commissioner Greene, Yes; Commissioner Lucarelli, Yes; Commissioner**  
36 **Brender, Yes; Deputy Mayor Duryea, Yes; Mayor Mealor, Yes.**

37  
38 D. Request to amend the Right-of-Way Utilization Agreement for Station House  
39 Apartments, LLC to provide for the inclusion of a 24.47-foot wide portion of  
40 North First Street Right-of-Way (Steve Noto, Senior Planner)

41  
42 This item was presented and discussed under Item C.

43  
44 **Motion was made by Commissioner Lucarelli to approve the amendment to the**  
45 **Right-of-Way Utilization Agreement for Station House Apartments, LLC, seconded**  
46 **by Commissioner Greene and motion carried by roll-call vote: Commissioner**

1 **Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor Duryea, Yes;**  
2 **Commissioner Greene, Yes; Mayor Meador, Yes.**

3  
4 10. Other Items for Commission Action

5  
6 There were no items to discuss at this time.

7  
8 11. City Manager's Report

9  
10 A. Items for Approval

11  
12 a. Release of Performance Surety for Enclave at Tuscany Subdivision

13  
14 Mr. Omana said the first item is the Release of Performance Surety for Enclave at  
15 Tuscany Subdivision. He asked Mr. Schindler to go over the issues pertinent to this  
16 item.

17  
18 Mr. Schindler said the Planning Board had a long memory of what happened with the  
19 Anderson Lane property. This developer had nothing to do with the Anderson Lane  
20 property but they had a very long memory and wanted to make sure that it never  
21 happened again so they made a condition of approval of the surety. The developer has  
22 performed all the required plantings, irrigation, it looks wonderful there and everything is  
23 growing. When they had plants die they replaced them with no qualms. Staff supports  
24 the return of the surety.

25  
26 Mayor Meador said there is a request to return \$56,300 to Jim Bagley.

27  
28 **Motion was made by Deputy Mayor Duryea to return the surety for Enclave at**  
29 **Tuscany in the amount of \$56,300 to Jim Bagley, seconded by Commissioner**  
30 **Lucarelli and motion carried unanimously.**

31  
32 b. SunRail Combined Operational Assistance and Voluntary Cooperation Mutual  
33 Aid Agreement

34  
35 Mr. Omana said this item involves the Voluntary Cooperation and Mutual Aid  
36 Agreement for SunRail involving the law enforcement agencies. The essence of it is  
37 jurisdictional cooperation. He asked Chief Bracknell to present further details.

38  
39 Chief Bracknell said one of the problems we have been facing is enforcing the laws on  
40 the rail and all the cities and properties that touch the rail. About a month ago all the  
41 police chiefs and sheriffs in the four counties got together and hammered out this  
42 mutual aid agreement which gives a law enforcement officer the authority to take law  
43 enforcement action any place that train touches. That will help us protect the citizens.  
44 The mutual aid agreement will help other officers if they are in our city. If they see a  
45 crime they can effect an arrest. Our State Attorney, whether the crime occurred in  
46 Osceola County, will be able to take that to case if he chooses to do so.

1  
2 Deputy Mayor Duryea said it says mutual aid but unless we can put injured people on  
3 the train and have them shipped down to a hospital, he didn't see it. SunRail doesn't  
4 have anything in it.

5  
6 Chief Bracknell said this has been a very neglected area as it relates to SunRail. They  
7 have not addressed these issues. When we talked about these issues we get "this is  
8 not the way we do it up north" or "this isn't how we do it down south". We are not at  
9 either one of those locations. Law enforcement had to take the lead on doing this.

10  
11 Deputy Mayor Duryea said if a crime occurs during the rushing of the train and it is  
12 radioed to any of the police departments that are in this agreement, they would be able  
13 to board the train and make the arrest and there are no jurisdictional problems.

14  
15 Chief Bracknell said there are no jurisdictional problems but in that agreement it sets the  
16 mechanism on how we are going to respond. Let's say a person's iPad was stolen in  
17 Lake Mary and they get off in Longwood. The Longwood Police Department can take  
18 that report and the citizen can go on their way. Longwood can ship us the report and  
19 we can investigate it or we can send an officer up there. It allows the ability to take care  
20 of the citizen now as opposed to who do we call—do we call the sheriff, Longwood, is it  
21 an Altamonte issue? It's a convenience for our citizens.

22  
23 Deputy Mayor Duryea asked if this spilled over to anything but SunRail.

24  
25 Chief Bracknell said it was just SunRail.

26  
27 Commissioner Brender asked how SunRail was handling security on the train. He  
28 asked if it was up to the engineer or foreman on the train. He understood there had  
29 been some incidents.

30  
31 Chief Bracknell said the activities that are occurring on the train are being monitored  
32 and recorded on the train. If something occurs, the engineer radios to their command  
33 post and lets them know the issue. We had a disorderly person on the train coming  
34 from Sanford. It was a mental issue. He made it to our platform where he was greeted  
35 by four police officers. We settled the problem and one of the police officers bought him  
36 a ticket back to Sanford.

37  
38 Commissioner Greene said the liability issue concerned him.

39  
40 Chief Bracknell said it is spelled out in the agreement. If we create a situation, it is our  
41 issue and we have to handle it through our normal channels.

42  
43 Ms. McKinney said Section 5 addresses that. It says each party is responsible for their  
44 own acts or omissions. It also provides that the sovereign immunity Statute 768.28 will  
45 apply.

1 Commissioner Greene asked Ms. McKinney if she felt as a signing member if there was  
2 some type of lawsuit we are not going to get joined in because we signed the mutual aid  
3 agreement.

4  
5 Ms. McKinney said she could not say for certain that we wouldn't be joined in it but  
6 thought we could make a defense that it is not our responsibility and would be the  
7 conduct of the agents of that member entity.

8  
9 Chief Bracknell said the mutual aid specifically says that we are responsible individually  
10 for our acts.

11  
12 **Motion was made by Commissioner Brender to authorize the Mayor to execute**  
13 **the SunRail Combined Operational Assistance and Voluntary Mutual Aid**  
14 **Agreement, seconded by Commissioner Lucarelli and motion carried**  
15 **unanimously.**

16  
17 B. Items for Information

18  
19 Mr. Omana said Mr. Nipe had a special item to present.

20  
21 Mr. Nipe said *Orlando Magazine* does an annual "Best Of", i.e. best restaurant, best  
22 bar, and best place to go to get married. In 2013 there were three awards given based  
23 on the readers' survey. First was Leu Gardens, second was Disney Pavilion, and third  
24 was Trinity Church in Downtown Orlando. This year they contacted us. Which others  
25 that have been selected aren't in yet but they will be for the August issue, but they have  
26 indicated we are coming in at No. 2 in the Metro Orlando area as the best place to get  
27 married and as such gave us an award. He passed the award to the Commission for  
28 them to see. The Events Center was very well planned and continues to provide  
29 excellent customer service. The caterers and everybody does a great job.

30  
31 Commissioner Brender said we had the Tri-County League of Cities at the Events  
32 Center today and got so many compliments from so many of the members. People  
33 after the meeting were walking around oohing and aahing about not only how beautiful it  
34 looks but how well it is maintained.

35  
36 Commissioner Greene said what Gary (Brender) said is true. The maintenance and  
37 keeping that high level is so important and they have done a great job. It was a  
38 beautiful building when it was built but if it weren't maintained and kept up it would go  
39 down.

40  
41 Mayor Mealar extended congratulations and asked Mr. Nipe to communicate their best  
42 wishes for a job well done to his entire staff.

43  
44 Mr. Omana reminded everyone that the July 3<sup>rd</sup> meeting was canceled and a budget  
45 work session was scheduled for 5:00 P.M. on July 17<sup>th</sup> prior to the regular meeting.

1 Mr. Omana said all non-emergency offices will be closed on Independence Day. No  
2 solid waste or recycling will be picked up on July 4<sup>th</sup> but Waste Management will have a  
3 makeup day on Saturday, July 5<sup>th</sup> for those customers with a Friday collection day.

4  
5 Mr. Omana said to kick off your Fourth of July holiday right by visiting the all-American  
6 WineART Wednesday featuring the Daily City.com Food Truck Bazaar on July 2<sup>nd</sup> from  
7 5:00 P.M. to 9:00 P.M. at Central Park. Enjoy local art, stroll, beer and wine garden, live  
8 music, and the crowd.

9  
10 Mr. Omana said to honor our military, we have the Honor Our Military exhibit at the Lake  
11 Mary Historic Museum at 158 North Country Club Road through July 26<sup>th</sup>. The display  
12 focuses on the Civil War and the part that Florida troops played during that conflict.  
13 Uniforms, books, antique weapons, and many artifacts from the past will be on display.  
14 The museum is open Tuesdays and Saturdays from 10:00 A.M. to 3:00 P.M. and  
15 Wednesdays and Thursdays from noon until 8:00 P.M.

16  
17 Mr. Omana said the department reports were in the packets.

18  
19 12. Mayor and Commissioners Report – 3

20  
21 Mayor Meador had no report at this time.

22  
23 Commissioner Greene said he was unable to attend the last meeting due to his father's  
24 passing. He thanked everyone for their condolences.

25  
26 Commissioner Greene said his report would go back to the opening of the Community  
27 Center. He thought they probably talked about it at the last meeting. It is another first-  
28 class building. Parks & Recreation and all others responsible for that building should be  
29 commended. It is a beautiful building but more importantly we had the opportunity to  
30 share our thoughts about Commissioner Allan Plank, the great job he did, the great  
31 leader he was, and the great person he was. It was a great time.

32  
33 Commissioner Greene said one of our police officers was in Leadership Seminole and  
34 was one of the graduates. He thanked Chief Bracknell for allowing our police officers to  
35 participate in that program. It was a great opportunity and a lot of graduates. It was also  
36 a great luncheon.

37  
38 Mayor Meador said he was taken aback today as he was sitting at the largest turnout  
39 they have had for the League of Cities and that building is an incredible facility. He  
40 didn't want the community to lose sight of the fact that was brought to bear under  
41 Commissioner Greene's leadership and it is so pleasant to have him back so we can  
42 acknowledge that.

43  
44 Commissioner Lucarelli said we were pleased to honor a couple of Tri-County  
45 members. Over the last couple of years we started an advocacy team specifically to go  
46 to Tallahassee and advocate for specific items that affected our cities, mostly home

1 rule. They are trying to strip away a lot of home rule. Kathy Till, a former Apopka  
2 commissioner, has been hired by the Tri-County to train us. We were like the guinea  
3 pig group. We did so well our first year that it has expanded to where she has been  
4 hired to train Suncoast and another group near Tampa. We are very proud of the  
5 program we started and feel like we were the initiation group. It was great to see Sarah  
6 from Kissimmee get the award for home rule for her passion behind what she got  
7 through and the same thing with Gary Bruhn. We all worked really hard just being  
8 specific in our requests rather than being vague and saying we don't support this. Give  
9 specific reasons and data to back up how this impacts your citizens and your city. We  
10 have been very effective with it. They have routine fly-ins during session where you're  
11 giving expert testimony on something or you have someone from your community giving  
12 expert testimony. It has worked out well and we are proud of that program. She was  
13 happy to commend them on their awards. It was very well deserved.

14  
15 Commissioner Lucarelli said last week she spoke at The Villages which is a transitional  
16 home for teens aging out of foster care. She talked to them about stalking and teen  
17 dating violence. It was a good talk, just sharing some personal experiences, sitting  
18 around the table throwing around questions and answers, and very open and honest. It  
19 was really good and knew the kids appreciated it. She said she appreciated it. She  
20 thought it had a good impact on them and was happy to be a part of it. She encouraged  
21 citizens or otherwise who have some personal experience with something, whether it is  
22 dating violence or some other kind of crime, to share that with other communities and  
23 people because it does have an impact when you are sharing a personal story with  
24 someone. It brings it home, they know you get it and feel their pain. It is a good thing to  
25 do and it makes you feel good and blesses you.

26  
27 Commissioner Brender said other than attending the Tri-County League meeting today  
28 he attended a School Board Facilities Planning Committee. There has been a great  
29 deal of discussion about this interlocal agreement that essentially blends or formalizes  
30 an agreement between the seven cities, the County, and the County School Board.  
31 When we have development issues in Lake Mary we communicate those effectively to  
32 the School Board so they can keep a record of what's planned ahead so they can keep  
33 ahead of what's needed as far as schools, school buildings, and school additions.

34  
35 Commissioner Brender said surrounding that interlocal agreement was a great deal of  
36 concern from the cities over a couple of issues and was the reason a couple of cities did  
37 not attend the meeting in protest of those items not being addressed. One is a  
38 stormwater issue. The Seminole County School Board has decided because it is a  
39 government agency it doesn't need to pay stormwater fees that the cities in which they  
40 are located operate. It does bring up some interesting questions. If we look across the  
41 street we can see they obviously generate stormwater and have an effect on runoff.  
42 Them not paying is not a significant issue for the City of Lake Mary monetarily and  
43 amounts to about \$7,000 a year, but the City of Sanford is over \$150,000 and the City  
44 of Winter Springs over \$100,000 so they are talking about some significant amounts of  
45 money. There is no legal or court case being pursued in that particular interlocal  
46 problem.

1  
2 Commissioner Brender said there is one that is being taken to court now that will affect  
3 us in the future and that has to do with trash pickup. The Seminole County School  
4 Board decided to contract through their own franchise agreement with a certain waste  
5 hauler to pick up from all the schools in the County. That is a problem with Lake Mary,  
6 Winter Springs and Sanford that have their own franchise agreements with waste  
7 haulers. One of the things we guarantee in our agreement is all the waste in the City  
8 will be picked up by our franchised hauler. It puts us in a position where we could have  
9 a legal problem with our hauler. The City of Winter Springs is battling that out right now  
10 in a court of appeals to see how the appeals court is going to rule on that. There are  
11 some precedent cases but the City of Winter Springs is going to pursue it to the end.  
12 That is going to be something to watch because it does directly affect what results we  
13 have as we go through our waste franchise agreement.

14  
15 Deputy Mayor Duryea asked if we were calling the new Community Center anything  
16 other than the new Community Center.

17  
18 Mr. Nipe said as of right now it is the Lake Mary Community Center.

19  
20 Deputy Mayor Duryea asked if we were getting a lot of calls to use it.

21  
22 Mr. Nipe answered affirmatively. We had our soft opening on May 1<sup>st</sup> and our grand  
23 opening on May 22<sup>nd</sup> but we ramped up our marketing events prior to that. We are over  
24 30 rentals on the books so far and four are weddings, nine family reunions, and another  
25 couple dozen general parties. We also have summer camp and are about at our max  
26 every week. We have an agreement with the Zumba instructor. We have yoga, martial  
27 arts, and an art class coming beginning next week. Rentals are constantly coming in.  
28 He said he had given a couple of tours and his staff is constantly busy on the phone or  
29 giving tours. We envision at some point to be busier than the Events Center. He  
30 thought it was very successful at this point.

31  
32 13. City Attorney

33  
34 Ms. McKinney reported on a bill that passed this recent legislative session. There are  
35 two items that would be pertinent to you all. One is ethics training and the other is about  
36 voting and abstentions. This is Senate Bill 846. One part amended Florida Statute  
37 112.3142 which is the required ethics training for municipal officers. The new section of  
38 the law is going to require all elected municipal officers to complete four hours of ethics  
39 training each calendar year beginning January 2015. That ethics training is going to  
40 focus on the code of ethics for public officers and employees and also public records  
41 and public meeting laws. This requirement can be satisfied through a continuing legal  
42 education class or other professional educational class, seminar or presentation on  
43 those required subjects. We will keep you advised as more opportunities arise for that  
44 training.

45

1 Ms. McKinney said the second item is about abstention from voting in quasi-judicial  
2 proceedings. It was previously recommended that there are certain cases where  
3 members should abstain from voting if there is a conflict or the appearance of a conflict.  
4 The new language is if the official decision, ruling or act occurs in the context of a quasi-  
5 judicial proceeding, a member may abstain from voting on such matter if the abstention  
6 is to assure that a fair proceeding free from potential bias or prejudice will occur. She  
7 said this is vague and they may have questions from time to time as to what would fall  
8 within that category. That is for quasi-judicial proceedings and you “may” abstain. It is  
9 not a “shall”.

10  
11 Commissioner Brender said there are 300 or 400 cities in Florida. Assuming there is an  
12 average of five to six people that is 3,000 people that are going to have to go through  
13 four hours of training. He assumed the legislators in Tallahassee would also go through  
14 four hours of training.

15  
16 Ms. McKinney said it was already required that constitutional officers go through the  
17 training.

18  
19 Commissioner Brender said the legislators don’t have to. He asked if they had  
20 addressed who is going to be giving these courses and where they are going to give  
21 them.

22  
23 Ms. McKinney said she thought they would be hearing more about that as those  
24 courses are developed in advance of that January 1 start date.

25  
26 14. Adjournment

27  
28 There being no further business the meeting adjourned at 8:00 P.M.

29  
30  
31

32  
33 \_\_\_\_\_  
34 David J. Meador, Mayor

32  
33 \_\_\_\_\_  
34 Mary Campbell, Deputy City Clerk

35  
36  
37 ATTEST:

38  
39  
40  
41 \_\_\_\_\_  
42 Carol A. Foster, City Clerk