

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

4
5 1. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:00 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 Carol Foster, City Clerk
17 Deputy Mayor George Duryea Dianne Holloway, Finance Director
18 Commissioner Thom Greene John Omana, Community Development Dir.
19 Commissioner Jo Ann Lucarelli Steve Noto, Senior Planner
20 Tom Tomerlin, Economic Development Mgr.
21 Bryan Nipe, Parks & Recreation Director
22 Bruce Paster, Public Works Director
23 Wanda Broadway, HR Manager
24 Mike Biles, Police Lieutenant
25 Joe Laudreville, Deputy Fire Chief
26 Katie Reischmann, City Attorney
27 Mary Campbell, Deputy City Clerk
28

29 5. Approval of Minutes: July 17, 2014

30
31 **Motion was made by Commissioner Lucarelli to approve the minutes of the July 17, 2014,**
32 **meeting, seconded by Commissioner Brender and motion carried unanimously.**

33
34 6. Special Presentations

35
36 There were no special presentations at this time.

37
38 7. Citizen Participation

39
40 No one came forward at this time and citizen participation was closed.

41
42 8. Unfinished Business

43
44 A. Ordinance No. 1511 – Rezone property at 3112 West Lake Mary Boulevard from
45 RCE (Rural Country Estates) to PO (Professional Office); Linn Engineering/Chad
46 Linn, applicant – Second Reading (Public Hearing) (Gary Schindler, City Planner)

47
48 The City Attorney read Ordinance No. 1511 by title only on second reading.

49
50 Mr. Noto stated staff had no additional comments.

1
2 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1511. No one
3 came forward and the public hearing was closed.
4

5 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1511 on second**
6 **reading, seconded by Commissioner Greene and motion carried by roll-call vote:**
7 **Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner Greene, Yes;**
8 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**
9

10 B. Ordinance No. 1512 – Rezone property at the north end of Century Point at St.
11 Peters Church from A-1 (Agriculture) to M-1A (Light Industrial); Mark Harkins,
12 applicant – Second Reading (Public Hearing) (Gary Schindler, City Planner)
13

14 The City Attorney read Ordinance No. 1512 by title only on second reading.
15

16 Mr. Noto stated staff had no additional comments.
17

18 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1512. No one
19 came forward and the public hearing was closed.
20

21 **Motion was made by Commissioner Brender to approve Ordinance No. 1512 on second**
22 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call vote:**
23 **Deputy Mayor Duryea, Yes; Commissioner Greene, Yes; Commissioner Lucarelli, Yes;**
24 **Commissioner Brender, Yes; Mayor Mealor, Yes.**
25

26 9. New Business
27

28 A. Request for a Conditional Use approval to allow a K-8 school (Seminole Science
29 Charter School), 3580 North U.S. Highway 17-92, Naeem Haider, MD/Mehmet
30 Taskan, applicant (Public Hearing) (Steve Noto, Senior Planner)
31

32 Mr. Noto showed an aerial photograph of the property on the overhead. The address of the
33 subject property is 3580 North Highway 17-92. You will know this property as the Victoria
34 Square Shopping Plaza that opened in 1990. The parcel is outlined in yellow. The Spirit of
35 Truth Church was the most recent business to operate at this location. The site is also located
36 within the 17-92 CRA. That is a very important point to mention and would get into that later in
37 the presentation and would ask Dr. Tomerlin to join him at the podium with additional
38 information.
39

40 Mr. Noto said the applicant is proposing to operate a charter school at this location. The
41 building is 34,000 S.F. +/- and it will be a STEM (Science, Technology, Engineering and Math)
42 school. The grades will be K-8. Their first year they would be looking at K-5. There is a max of
43 400 students. They would be looking to open in August of 2015. Hours of operation would be
44 7:30 A.M. to 6:00 P.M. and they would have about 55 employees. They have been coordinating
45 closely with not only City staff but the state and the Seminole County Public School District. To
46 that end they have completed their Stage 2 proposal via the Florida Department of Education
47 and have a current grant award of \$365,000. At the November 19, 2013, meeting, the Seminole
48 County School District approved the charter school application.
49

1 Mr. Noto said this is a conditional use within the C-1 General Commercial zoning district so we
2 had to review it against the typical findings of fact. In the staff report there are additional
3 provisions we had to review since this is a school application. He said before he got into that he
4 would cover some of the findings that relate to the conditional use, the first being Provision No.
5 2 having to do with traffic flow. What is on the overhead is what was given to us by the
6 applicant's engineer. It is not in for site review. We have no site permits but one of the items
7 we wanted to talk about through the conditional use process was traffic flow. If approved they
8 are not going to open until next August so we have time to work out any kinks there may be.
9 They have a proposed traffic flow map. If you are coming in off 17-92 southbound you will have
10 the opportunity to turn into the property and stack to get to the pick-up/drop-off zone on the
11 south side of the building and then you can exit to Weldon or can exit to 17-92. Something
12 interesting about the traffic flow is 17-92 will go under construction for widening and such and a
13 median cut is going to be closed. He pointed out the location of the median on the overhead.
14 Access points into this property will be southbound from 17-92, and from Weldon the cross
15 access from the other side of the project site. He emphasized this was just conceptual and if
16 the Commission had any comments or concerns we can address those now and relay them to
17 the applicant. They have carved out a playground area and they have plans to have buses as
18 part of the operation.

19
20 Mr. Noto said we are very pleased with this concept plan and like the idea of the median closing
21 on 17-92. It is a complex area in that part of town and we think that will help the flow and make
22 use of the cross access on the north side of the plaza.

23
24 Mr. Noto said the business would be going into a plaza that is already developed so they have
25 all the acceptable required utilities, landscaping, striping and things of that nature. On the point
26 of landscaping and buffering, this site is within the 17-92 CRA and we have strongly encouraged
27 the applicant--and they received this very well--to meet with the County to get funding from the
28 CRA to do some improvements on the property: new plantings, site striping, whatever it may
29 be. Whatever they need money for they have our backing. In the event the project is approved
30 they would go before the County to try and get those funds. We are hoping they go with that
31 because this site could use some rehab and we have indications they would be looking to do
32 that.

33
34 Mr. Noto said we have two conditions of approval tied into the conditional use:

- 35
36 1. Prior to school expanding from K-5 to K-8 that the applicant coordinate with the City to
37 review the traffic patterns.
38 2. Applicant shall address any site deficiencies prior to opening the school.

39
40 Mr. Noto said we had additional locational criteria. There were ten more provisions we had to
41 review because it is a school locating in the C-1 General Commercial zoning and it had to deal
42 with adjacent land uses, adjacent traffic flow patterns, environmental issues and things of that
43 nature. Each provision is somewhat similar to the next. Finding of Fact No. 1 has to do with
44 sufficient size of the building to make sure they can handle the proposed students. They have
45 been coordinating with the Seminole County Public Schools and the state regarding this
46 application. While we have reviewed this as we have needed to, a lot of the more intensive
47 review has occurred through the public school district and they were able to meet a lot of the
48 standards just through coordination with them. He pointed out Provision No. 7 having to do with
49 the high-tech corridor. This site is not within the high tech corridor. We found the applicant met
50 all ten provisions of the locational criteria.

1
2 Mr. Noto said the Planning & Zoning Board heard this item at their regular July 8, 2014,
3 meeting, and they voted unanimously 5 – 0 to recommend approval with staff's two conditions
4
5 Mr. Noto asked Dr. Tomerlin to present some additional information regarding the application.
6
7 Tom Tomerlin, Economic Development Manager, came forward. From the economic
8 development perspective of this site, this particular plaza has suffered from slow traffic lately.
9 We believe having a charter school with regular pick up and drop off times and that amount of
10 traffic generating through the plaza that it will begin to ripple through the rest of the plaza. It
11 does provide an education theme on Weldon with having a solid charter school, Seminole
12 Science School, fully approved by the School Board of Seminole County and at the other end of
13 Weldon having Seminole State College.
14
15 Mr. Tomerlin said in the economic development catalyst effect that we believe this project would
16 have in this plaza, we did encourage the applicant to apply for a redevelopment and
17 construction grant through the 17-92 CRA program. That will help offset the costs of anything
18 that would be street facing—all of the façade improvements and new façade construction. It
19 should cover the majority of landscape costs. This is an application by a private group to the
20 CRA and the decision on whether to fund that grant ultimately resides with the Board of County
21 Commissioners sitting as the CRA Board. We have been working closely with County staff and
22 we think the applicant has a solid proposal for taking that grant.
23
24 Commissioner Greene asked what the original site plan back in 1990 required for landscaping.
25
26 Mr. Noto said based on our review, the site meets code but the plantings and striping need help.
27 We would like to see fresh plantings and bring everything back up to where it was when they
28 first opened.
29
30 Commissioner Greene asked what the City's position would be if they turned down the grant.
31
32 Mr. Noto said it would be the same that they bring the site up to standards.
33
34 Deputy Mayor Duryea asked if the wall continued behind.
35
36 Mr. Noto said that was correct. Back in 2008 the Spirit of Truth Church folks came in with a
37 minor site plan to improve the area in the red box as a playground. Those improvements never
38 happened. What we would anticipate is if the current applicant was to use this area as a
39 playground that it be fenced in well so the kids can't leave.
40
41 Deputy Mayor Duryea said there is a wall in the back.
42
43 Mr. Noto answered affirmatively.
44
45 Ms. Sova said she and Mr. Omana looked at the distance from any homes. She recalled
46 hearing about noise from children along this plaza. It was over 500 feet.
47
48 Commissioner Brender said there is a lake behind the bridge.
49
50 Mr. Noto said there is a wet area.

1
2 Commissioner Brender said he had two concerns. The way the playground was initially drawn
3 there are kids crossing a drop off/pick up area to get to the playground. From the looks of it
4 that's essentially double parking spaces wide. It doesn't look like much of a playground.
5
6 Commissioner Brender said his second comment is we have 400 students coming K-5. He
7 asked the capacity of the school.
8
9 Mr. Noto said the max capacity will be 400 for K-8. Their first phase would be K-5.
10
11 Commissioner Brender asked if there was sufficient parking even though they will be dropping
12 some spaces for the playground.
13
14 Mr. Noto answered affirmatively.
15
16 Deputy Mayor Duryea said they are not making any structural modifications to the building.
17
18 Mr. Noto said at this point we have received no building permits. Our discussions haven't gone
19 that far.
20
21 Mayor Mealor asked if anyone wanted to speak in reference to the request for a conditional use.
22 No one came forward and the public hearing was closed.
23
24 **Motion was made by Deputy Mayor Duryea to approve the conditional use to allow a K-8**
25 **school (Seminole Science Charter School) at 3580 North U.S. Highway 17-92, consistent**
26 **with staff's Findings of Fact listed in the staff report and subject to the two conditions,**
27 **seconded by Commissioner Lucarelli and motion carried by roll-call vote: Commissioner**
28 **Greene, Yes; Commissioner Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor**
29 **Duryea, Yes; Mayor Mealor, Yes.**
30
31 Mayor Mealor welcomed the applicant to the City. This is going to be a wonderful addition. It is
32 one of our critical need areas and thought it was a wonderful opportunity.
33
34 B. Resolution No. 942 – Annual Local Improvement and Essential Service Assessments
35 for Lake Mary Woods Wastewater Improvement (Jackie Sova, City Manager)
36
37 The City Attorney read Resolution No. 942 by title only.
38
39 Ms. Sova said this will be the final time we submit an assessment roll to Seminole County for
40 the tax bills in the amount of \$574.43 per property in the Lake Mary Woods subdivision for the
41 wastewater improvements done ten years ago.
42
43 Commissioner Greene said once they pay off these liens are we going to send them a letter or
44 something.
45
46 Ms. Sova said we can notify them that they have been paid off.
47
48 Commissioner Greene said it might be nice to let them know.
49

1 **Motion was made by Commissioner Brender to approve Resolution No. 942, seconded by**
2 **Commissioner Lucarelli and motion carried unanimously.**

3
4 C. Jobs Growth Incentive Interlocal Funding Agreement between the City of Lake Mary
5 and Seminole County for Deloitte Consulting LLP and Deloitte Services LP (Tom
6 Tomerlin, Economic Development Manager)

7
8 Mr. Tomerlin noted Pamela Lynch, Program Manager for Seminole County, was present.

9
10 Mr. Tomerlin said for the Commission's consideration tonight is the interlocal agreement for a
11 jobs growth incentive commonly referred to by its acronym JGI. The jobs growth incentive is a
12 locally administrative incentive typically in partnership with Seminole County and the city's
13 jurisdiction in which the project will locate.

14
15 Mr. Tomerlin said for consideration tonight is an interlocal agreement between Seminole County
16 and the City of Lake Mary and it addresses a job growth incentive for Deloitte Consulting, LLP.
17 Deloitte Consulting is a unit of the larger umbrella organization commonly referred to as
18 Deloitte. It is a global brand and globally employment is around the 200,000 mark. Deloitte, LLP
19 has a footprint of about 17,500 employees located within the United States.

20
21 Mr. Tomerlin said this particular project involves information technology. Deloitte is often thought
22 of as an accounting/professional services company. This is their information technology
23 consulting that will be housed within Lake Mary. They desire to open a technology delivery
24 center in which these employees would be housed in one place. Some numbers associated
25 with this project is 1,000 new jobs created over a span of four years. The average wage for
26 these jobs would be \$60,250. They intend to occupy a space of 130,000 S.F. of Class A office
27 space off International Parkway. Their capital expenditure is \$22.2 million which includes
28 tangible personal property plus an additional \$13.7 million of new construction that will be done
29 by the landlord. We are looking at a total capital investment of an estimated \$35.9 million.

30
31 Mr. Tomerlin said the incentive that is outlined within the interlocal agreement for consideration
32 tonight is \$1,700 per job. Multiplying that by the 1,000 jobs that will be created is a total
33 incentive of \$1.7 million. That full incentive would be split evenly between Seminole County
34 government and the City of Lake Mary so that puts Lake Mary's total at \$850,000. That
35 \$850,000 will be paid out over the course of four calendar years so that breaks out to an annual
36 disbursement of \$212,500. The first payment is due December 31, 2015.

37
38 Mr. Tomerlin said the interlocal agreement addresses the City's participation within this job
39 growth incentive. There will be a separate agreement between Seminole County government
40 and the firm itself and that will outline some of the particulars with that. That agreement is being
41 worked out between Seminole County and the firm but we have gotten sufficient feedback that
42 they don't believe it will alter any aspect of this interlocal agreement between the County and
43 the City.

44
45 Mr. Tomerlin said this project has been in the works for 18 months. It has been negotiated quite
46 a bit in the past. They have made contact with us as well as Seminole County 18 months ago.
47 The preliminary proposal was put together back in October of 2013 and we had fierce out-of-
48 state competition for this project. Some of the areas that we know we were in competition
49 against were Nashville, Tennessee; Raleigh, North Carolina; McKenna, Texas; and Phoenix,
50 Arizona.

1
2 Mr. Tomerlin said the return on investment for this project is that in terms of getting back the
3 incentive of \$850,000 in the form of additional tax revenues, the estimate is approximately 6.6
4 years. A critical decision was clearly this incentive proposal. This incentive played a factor in
5 Deloitte's decision to move here. Another very critical factor in them locating here was the
6 talent pool in the larger metro area. They are keenly interested in tapping into University of
7 Central Florida graduates out of the computer science program as well as tapping into Seminole
8 State College graduates.

9
10 Mayor Meador said if done this will become a center of excellence for technology adjacent to
11 Verizon center of excellence for finance.

12
13 Deputy Mayor Duryea asked if this was doable.

14
15 Ms. Sova answered affirmatively. It is incorporated into the five-year plan that we are working
16 with adopting.

17
18 Commissioner Brender asked Mr. Tomerlin if he had done a net economic benefit. We can look
19 at tax dollars divided by investment and come up with six years but considering a thousand
20 employees and paid benefits, he asked if there were any numbers out there.

21
22 Mr. Tomerlin said he liked that question but didn't have an answer. Clearly when we talk about
23 the timeframe in which we will get paid back in terms of additional property tax revenue, and
24 that is in the form of property tax revenue, but also the tangible personal property. Clearly there
25 is a much larger impact occurring in our community because of something like this, more than
26 just the fiscal impact associated with the City and County budgets. That larger economic impact
27 is saying we now have \$60 million of new wages being spent in our economy. Those folks are
28 going to go the grocery store, are going to buy things, have kids in our schools. What is
29 commonly referred to as multiplier impact is how this spending will recur throughout the
30 economy as a result of this. He said he didn't have an estimate of what kind of multiplier or
31 induced impacts would be a result of this but would suffice to say it is substantial and
32 significantly more than the \$60 million of direct wage increase occurring in our community. It
33 would take a little bit of study to find that out. It is a great point and is the strength of this
34 project. What we are talking about here is a true halo effect occurring as a result of having this
35 kind of project locate within our area.

36
37 **Motion was made by Commissioner Lucarelli to approve the Jobs Growth Incentive**
38 **Interlocal Agreement between the City of Lake Mary and Seminole County for Deloitte**
39 **Consulting LLP and Deloitte Services LP in the amount of \$850,000 (50% of total award).**
40 **Seconded by Commissioner Brender and motion carried by roll-call vote: Commissioner**
41 **Lucarelli, Yes; Commissioner Brender, Yes; Deputy Mayor Duryea, Yes; Commissioner**
42 **Greene, Yes; Mayor Meador, Yes.**

43
44 10. Other Items for Commission Action

45
46 There were no items to discuss at this time.

47
48 11. City Manager's Report

- 1 a. Expenditure from Law Enforcement Trust Fund for donation to Lake Mary High
2 School's Challenge Day
3

4 Ms. Sova said this is a request for expenditure of \$500 from the Law Enforcement Trust Fund
5 for Lake Mary High School's Challenge Day. This is against bullying, drug abuse, and negative
6 behaviors. She asked the Commission to approve the donation to Lake Mary High School.
7

8 **Motion was made by Deputy Mayor Duryea to approve the expenditure of \$500 from the**
9 **Law Enforcement Trust Fund for donation to Lake Mary High School's Challenge Day,**
10 **seconded by Commissioner Lucarelli and motion carried unanimously.**
11

- 12 b. Reappoint Cora Rice to Historical Commission
13

14 Ms. Sova said this is a request to reappoint Cora Rice to the Historical Commission. Cora was
15 notified in accordance with Ordinance No. 592 and amended by Ordinance No. 1118 that she
16 had been removed for missing three consecutive meetings. She has expressed a desire to be
17 reappointed. She had some problems with transportation and some medical reasons.
18

19 **Motion was made by Commissioner Brender to reappoint Cora Rice to the Historical**
20 **Commission, seconded by Commissioner Greene and motion carried unanimously.**
21

22 Ms. Sova said she was pleased to congratulate Fire Chief Craig Haun who was recently
23 recognized as a "Patriotic Employer" by the office of the Secretary of Defense for his
24 contribution to national security and protecting liberty and freedom by supporting employee
25 participation in America's National Guard and Reserve Force.
26

27 Mayor Meador asked Ms. Sova to send Chief Haun the Commission's best wishes and
28 congratulations.
29

30 Ms. Sova said Sgt. Kevin Pratt of the Police Department was selected by the City as Employee
31 of the Second Quarter and we congratulate him.
32

33 Ms. Sova said in the Police Department Bianca Gillett will be replacing Zach Hudson in
34 Community Service.
35

36 Ms. Sova said qualifying for Mayor and Commission Seats 1 and 3 will begin at noon on
37 Monday, August 25th and run through noon Friday, August 29th. To be eligible you must be a
38 qualified voter of Lake Mary and have resided here for at least one year prior to qualifying. For
39 additional information, contact the City Clerk's office at 407-585-1423.
40

41 Ms. Sova requested to schedule a work session for August 21st at 5:30 P.M. to discuss the
42 "Compassionate Medical Cannabis Act" (medical marijuana). There were no objections from
43 the Board.
44

45 12. Mayor and Commissioners' Reports
46

47 Mayor Meador had no report at this time.
48

49 Commissioner Brender thanked *Lake Mary Life* for sponsoring picture day to be on the cover of
50 their September edition of *Lake Mary Life* magazine. They expected a few people to show up

1 and we got hundreds. In was in recognition of the City being recognized as one of the top ten
2 family circle cities to live.

3
4 Deputy Mayor Duryea congratulated staff and Mr. Tomerlin about Deloitte. This is the kind of
5 thing we envisioned back when we had workshops about getting clean industry, high tech jobs
6 in and around Lake Mary. He commended them for being successful.

7
8 Commissioner Greene said to add to what Commissioner Brender said about the picture
9 opportunity and the big turnout, he thought our citizens are proud of the City of Lake Mary and
10 that was shown by the number that showed up. About 250 people showed up and was very
11 impressive.

12
13 Commissioner Lucarelli said at the Tri-County League of Cities we had a roundtable discussion
14 with Senator Soto and one of the issues brought up was medical marijuana and where that is
15 headed in the legislature. We discussed other issues that may or may not affect our
16 community, specifically lakes and springs legislation, and police and firefighter pension that has
17 been on the agenda for a couple of years. She will continue to keep the Commission apprised
18 as they move forward with that.

19
20 13. City Attorney's Report

21
22 Ms. Reischmann said she was pleased to announce the circuit court upheld the City's decision
23 and the Porgiani's appeal of the variance for Mr. Goldberg on the lot that he wanted to build on.
24 They appealed the variance from the environmental standards. Judge Galluzzo found that the
25 Commission was entitled to rely on the testimony of its three stellar employees: John Omana,
26 Steve Noto and Bruce Paster who were specifically mentioned by name in the order, that the
27 City made all the necessary findings, and the Commission was within its authority to grant the
28 application and followed all the requirements of law in making its determination. That was a
29 very good order; however, we have heard subsequently they are taking us to the Fifth District
30 Court of Appeals. We may make history. We have throughout had an open door with them and
31 there hasn't been any willingness to negotiate.

32
33 Ms. Reischmann said she had been fortunate to handle a lot of real estate for the City and has
34 received her Real Estate Certification from the Florida Bar.

35
36 Mayor Mealar thanked the representatives of the Forest for being present. We stand ready to
37 be of assistance if needed.

38
39 14. Adjournment

40
41 There being no further business, the meeting adjourned at 7:45 P.M.

42
43
44 _____
45 David J. Mealar, Mayor

46 _____
47 Mary Campbell, Deputy City Clerk

48 ATTEST:

49 _____
50 Carol A. Foster, City Clerk