



1  
2 A. Proclamation – American Red Cross Month  
3

4 Mayor Meador read and presented a proclamation to Sonia Bhatia proclaiming the  
5 month of March as “American Red Cross Month”. He said Ms. Bhatia is a volunteer on  
6 the Red Cross of Central Florida Board, is a Lake Mary resident, and is on the band  
7 boosters of the State Championship Seminole High School band which is also a  
8 National Champion.

9  
10 Ms. Bhatia thanked the Mayor and Commission. She said there were five things she  
11 would like the Commission to keep in mind:

12  
13 (1) Make a plan in case there is an emergency of where your family would meet, what  
14 you would do, where you would escape to and who the contact person would be.

15  
16 (2) Get trained in CPR, AED and first aid.

17  
18 (3) Build a kit with food, candles, batteries, radio, etc. She noted that she had brought  
19 a supply of brochures with the basic list.

20  
21 (4) Volunteer. She said it didn’t take much and if you have extra time it is a good thing  
22 to offer the community. There is a full range of classes on the Web site to get trained.

23  
24 (5) Give blood. She said the Red Cross doesn’t collect the blood but the Central Florida  
25 Blood Bank does and we always need blood.

26  
27 Ms. Bhatia said to take a picture of your pet during an emergency. There is a pet  
28 disaster kit that you should make with food, vaccinations, leashes, etc. We have a  
29 lifeline for senior citizens and a brochure for preparing your business for disasters. She  
30 stated she would leave brochures by the coffee and everyone is welcome to help  
31 themselves. She thanked the City for their support of the Red Cross.

32  
33 B. The Children’s Cabinet of Seminole County – Lynn Whitcomb  
34

35 Mayor Meador introduced and welcomed Lynn Whitcomb. He said Ms. Whitcomb is on  
36 the Communications Committee of the Children’s Cabinet of Seminole County and is  
37 also the Public Affairs Director for the Lake Mary ward of the Church of Jesus Christ of  
38 Latter Day Saints.

39  
40 Lynn Whitcomb came forward. She said she was present representing the Children’s  
41 Cabinet of Seminole County. We are advocates for Seminole County’s children. We  
42 were here about a year ago explaining who we were because we were a new cabinet at  
43 that time and we are back to share what we have been doing since and to discuss our  
44 first priority.

45  
46 Ms. Whitcomb said there were 37 organizations represented on the Cabinet and  
47 average about 40 in attendance at each meeting. We have an e-mail list of 150. She  
48 said she was supposed to have representatives from the Seminole County Public

1 Schools and DCF with her tonight but they had medical problems and were not able to  
2 be. She said she sits on the Cabinet representing her church.

3  
4 Ms. Whitcomb said what we have done. We have helped in the creation of three  
5 additional local community children's cabinets and have led in the formation of the  
6 Central Florida Regional Children's Cabinet and developed our first priority for Seminole  
7 County's children. We generated a report and facilitated a community forum to discuss  
8 it. That priority was the state of housing in Seminole County. In September 2007 we  
9 adopted this and tasked the committee working on it with assessing current housing  
10 conditions for children, identifying barriers and gaps in their services, identifying  
11 agencies and resources, and making recommendations to the Cabinet.

12  
13 Ms. Whitcomb showed a list of the community needs that were determined. She said  
14 15,000 residents in Seminole County are precariously housed. That means they pay  
15 over 50% of their income for their rent or mortgage which puts them at risk of  
16 homelessness because it would take a small family emergency or loss of a job to put  
17 their home at risk. As we read the news we know that to be more and more prevalent.

18  
19 Ms. Whitcomb said on any given night about 484 homeless adults with children are in  
20 Seminole County. Almost 50% of them are living with other families, family members or  
21 friends, and a large percentage in motels. That still leaves about 29% that are on the  
22 streets, in the woods, or in their cars.

23  
24 Ms. Whitcomb said the committee came up with 12 recommendations that they  
25 presented to the Cabinet and then the community. The third one, establishing  
26 homeless prevention centers, is one that shows the effectiveness of the collaborated  
27 effort that the Cabinet has. We have two members on the Cabinet that are working  
28 together and that is Boys and Girls Town of Central Florida and CBC of Seminole who  
29 are working to put together a homeless prevention center in Sanford. It was also  
30 recommended to have one on the west and east sides of the County. Those are also  
31 being worked on by other representatives at the table in the Cabinet.

32  
33 Ms. Whitcomb said the Cabinet itself will not work on all these recommendations. The  
34 thought was those at the table would go back to their individual organizations and help  
35 meet the needs that we can.

36  
37 Ms. Whitcomb said additional recommendations were made in areas of emergency  
38 shelter, transitional housing, and permanent housing. The Cabinet is going forward with  
39 further research on the transitional housing and we have a task group working on a pilot  
40 program to see what we can do by reaching out to the community.

41  
42 Ms. Whitcomb said housing is but just one issue. We are a cabinet for all children in  
43 Seminole County and other priorities are child care, child abuse prevention, adoption,  
44 and substance abuse.

45  
46 Ms. Whitcomb said that brings us to how can you help. Take this information presented  
47 tonight and see how it applies to the City of Lake Mary. If you need help in assessing  
48 the figures of who would be classified as families in transition or homeless families in

1 Lake Mary, contact us; we have representatives on the Cabinet that can help get up-to-  
2 date numbers for your city. She said when you have issues or concerns for children in  
3 your community, think of us and list us as a partner to make Lake Mary the best  
4 community for children. Support us by sending anyone to the meetings that you want to  
5 or coming yourself. We meet on the second Wednesday of the month at 9:30 A.M. at  
6 the Seminole County Sheriff's Office (100 Bush Boulevard, Sanford, Florida). Or get on  
7 our mailing list so you can be updated as to what we are doing.

8  
9 Ms. Whitcomb thanked the Commission for their time.

10  
11 Commissioner Gray asked the number of students that are homeless.

12  
13 Ms. Whitcomb said as of the last meeting (February 11, 2009) it was reported 240  
14 families and the number of enrolled kids on the list was 565. It was said that of those  
15 565 some have since moved out of the County and is around 460.

16  
17 Mayor Meador asked if a staff member or commissioner had been assigned as a liaison  
18 with this group.

19  
20 Mr. Litton said Commissioner Gray has been the City's representative.

21  
22 Deputy Mayor Brender stated that he sits on the Alliance for Children.

23  
24 Mayor Meador thanked Ms. Whitcomb for the information and wished her the best with a  
25 very important community endeavor.

26  
27 VII. Unfinished Business

28  
29 A. Ordinance No. 1313 – Extend lease of property to Walters Electric – second  
30 Reading (Public Hearing)

31  
32 The City Attorney read Ordinance No. 1313 by title only on second reading.

33  
34 Mr. Litton said he had no additional comments except to say that we have inspected the  
35 building per the request of Commissioner Gray and it is in as good a shape as can be  
36 expected.

37  
38 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1313. No  
39 one came forward and the public hearing was closed.

40  
41 Commissioner Duryea declared a conflict of interest and would abstain from voting.

42  
43 Motion was made by Deputy Mayor Brender to approve Ordinance No. 1313 on second  
44 reading, seconded by Commissioner Lucarelli and motion carried by roll-call vote:  
45 Deputy Mayor Brender, Yes; Commissioner Duryea, Abstained; Commissioner Gray,  
46 Yes; Commissioner Lucarelli, Yes; Mayor Meador, Yes.

47  
48 VIII. New Business

1  
2 A. Ordinance No. 1315 – Small-Scale Future Land Use (FLU) Amendment  
3 application from PUB (Public/Semi-Public) to LMDR (Low/Medium Density  
4 Residential) for property located at 270 Greenleaf Lane, Meacham & Clark,  
5 LLC/Darren Meacham – First Reading (Public Hearing)  
6

7 The City Attorney read Ordinance No. 1315 by title only on first reading.  
8

9 Mr. Noto showed the subject property on the overhead projector. The applicant is  
10 requesting a land use amendment from Public/Semi-Public to Low Medium Density  
11 Residential.  
12

13 Mr. Noto said the current zoning of the property is R-1A. He showed the properties in  
14 the general vicinity. All the properties to the south along Palmetto, Lake, Hollis, and  
15 High have Low Medium Density Residential land use. The land use of the properties to  
16 the east, which are in Sanford, have a comparable land use of LDRSF which allows for  
17 equal to or less than six units per acre so this land use is compatible with those  
18 properties to the south and in Sanford. The property is approximately two acres in size  
19 and the applicant is looking to subdivide the property at four dwelling units per acre that  
20 would allow a maximum of eight lots. He said the applicant will have to meet the  
21 regulations of the street system code as well as the subdivision regulations so it may  
22 turn out to be more like five to seven lots.  
23

24 Mr. Noto noted on Page 2 of the staff report under Facilities and Services, the applicant  
25 filed an affidavit of deferral for concurrency. He said the applicant did file for  
26 concurrency review and everything checked out fine.  
27

28 Mr. Noto said the request is consistent with the relevant portions of the Comprehensive  
29 Plan. The applicant applied for a school impact analysis, which is pre school  
30 concurrency, and the areas of concern were met and everything was fine. At the time of  
31 subdivision the applicant will be required to do school concurrency review.  
32

33 Mr. Noto said this item was approved unanimously by the LPA at their January 21<sup>st</sup>  
34 meeting.  
35

36 Mr. Noto said staff finds it meets all findings of fact and recommends approval. He  
37 announced this was a legislative hearing and a sign-in sheet was in the back.  
38

39 Deputy Mayor Brender said he gathered this was public because it is cemetery  
40 property.  
41

42 Mr. Noto said it is privately owned. The cemetery is two properties to the west.  
43

44 Deputy Mayor Brender said knowing what we discussed at the last meeting regarding  
45 this entire area possibly becoming a TOD, he asked where this fits into that kind of plan.  
46

47 Mr. Noto said knowing what we know about TOD right now, the only way to block this  
48 from happening is to put a moratorium on anything in the general area. We let the

1 property owner know that the location of the commuter rail is just up the street and it is  
2 his intention to continue going forward. How it connects with the TOD we will have to  
3 see whenever we get a TOD master plan if that day comes.  
4

5 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1315.  
6

7 Lynn Myers of North High Street came forward. She said she was representing North  
8 High. She said the only thing that bothers them is the traffic and how it is going to affect  
9 their road. We just got our road fixed from having a home built next door to her (that  
10 she disapproved of). The people building the home tore the road up but it finally got  
11 fixed. She said the only thing that bothers her was the traffic and the people coming in  
12 to build the homes. That's our feeling about the whole thing.  
13

14 Mayor Mealor thanked Ms. Meyers for her comments and they would be taken into  
15 account.  
16

17 Ms. Myers said that area has a "country" feeling and is why they like it. We have been  
18 there since 1964 and we have watched Lake Mary change and we're tired of it. Look at  
19 all the empty homes. She questioned why build homes when there are homes out there.  
20

21 Alma Dunaway (154 North Lake Street) came forward. She stated she was on the  
22 corner of North Lake Street and her property did not adjoin that (the subject property)  
23 but the traffic that would go to that would be going by her house. She said she did not  
24 know how this ties in with the study we had some time ago with the traffic coming off  
25 Lake Mary Boulevard and was sure this wouldn't help it any. She was more concerned  
26 of what would be built there. With all the available housing, apartments and things in  
27 Lake Mary right now, she wouldn't want to invest in anything being built. She expressed  
28 concern with traffic and what it would do to the community. She said she would like to  
29 see it disapproved for that very reason.  
30

31 Darren Meacham of Meacham & Clark, LLC, 7025 North Wickham Road, Melbourne,  
32 Florida, applicant, came forward. He said he would argue that the issue he hears from  
33 them is we don't want it developed, we don't want more traffic, and not necessarily a  
34 change in use. The City Engineer says each house on average has 10 trips per 24  
35 hour period. We are looking at most 7 so 7 times 10 is 72 trips. There are five  
36 entrances. He said he didn't know how it would be broken up but if all of them go down  
37 either of these ladies' streets it's less than 3 trips per hour. He said he didn't think that  
38 was excessive and it doesn't meet the City's standards for doing a survey for the traffic.  
39 He said he could answer questions although the plans are in infancy. He said the  
40 owners were also present and hopefully could alleviate any kind of concerns.  
41

42 Commissioner Lucarelli asked the types and price level of homes they were planning on  
43 putting in.  
44

45 Mr. Meacham said there would be no more than 7 houses and are roughly 1,400 square  
46 feet with their own road, cul-de-sac, and water retention. We have given the City plans  
47 of what our vision was.  
48

1 Commissioner Duryea asked the applicant to point out the cemetery. Mr. Meacham  
2 said it was two houses to the left on the exhibit.  
3  
4 Commissioner Duryea asked if the property next to the cemetery was privately owned.  
5 Mr. Meacham said he had been told by the City Planner that it is but was not testifying  
6 that it is privately owned.  
7  
8 Commissioner Duryea asked why that property was designated PUB.  
9  
10 Mr. Noto said no one on staff now was on staff when this came about. We believe it is  
11 because the people who were here at the time believed the cemetery may expand. We  
12 believe the thought was they would need more land for the cemetery and that is the  
13 land use that would allow for that.  
14  
15 Deputy Mayor Brender said he had to go back to the question on the Transit Oriented  
16 District. This area south of the railroad tracks just east of what we hope will be a train  
17 station in as little as a year and a half. What are we doing here? We are going to make  
18 seven houses and then where are we a year and a half from now.  
19  
20 Mr. Omana said that issue came to the surface during our discussion and if they get the  
21 land use designation, PSP, and final engineering plan then eventually you may have  
22 five to seven homes there. If the TOD does happen we will have market forces, supply  
23 and demand, and the whole thing kick into gear so it may be possible that it may be  
24 bought out. It's possible they may not build but establish the highest and best land use  
25 designation and zoning for the property and use that as a basis to be subject to supply  
26 and demand forces. From a land use perspective, he said he didn't think it would create  
27 a conflict or barrier to any potential TOD initiatives that we may pursue.  
28  
29 Deputy Mayor Brender asked Mr. Omana if he agreed with Mr. Noto's comment about  
30 some kind of moratorium and should we be thinking about that in this district.  
31  
32 Mr. Omana said at this point it would be premature to pursue any action at that level.  
33 He said what would be appropriate is for us to come back to you as a body and pursue  
34 some analysis on where should we go from here. At the last meeting we had the  
35 consultant present an assessment of the TOD and the Commission gave direction to  
36 come back. We would like to come back to the Commission and weigh the options at  
37 that juncture.  
38  
39 Commissioner Gray asked what the benefits of a moratorium would be. For years it has  
40 been in the plan to develop the area.  
41  
42 Deputy Mayor Brender said he was thinking about the kind of development that would  
43 be within that district as part of the TOD. He believed it would be different from a  
44 medium or low density residential development. He said he hesitates to see this piece  
45 and possibly the next one because we don't what happens to go in that direction but at  
46 this point everything is still up in the air on it.  
47

1 Mr. Omana said in considering any moratoriums you also have to weigh the issue of if  
2 you do such an action, the implications as it relates to any Bert Harris claims or actions.

3  
4 Mayor Meador said he discussed that very issue with the City Attorney. He said it was  
5 his opinion with the issue before them, particularly with staff input and Florida Statutes,  
6 that should they decide to go in a different direction that statute would kick in.

7  
8 No one else came forward and the public hearing was closed.

9  
10 Mayor Meador said any talk of a moratorium is counterproductive to how we see the  
11 economy and what we are attempting in a proactive manner.

12  
13 **Motion was made by Commissioner Duryea to approve Ordinance No. 1315 on**  
14 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**  
15 **vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**  
16 **Lucarelli, Yes; Deputy Mayor Brender, No; Mayor Meador, Yes.**

17  
18 B. Ordinance No. 1316 – Small-Scale Future Land Use (FLU) Amendment  
19 application from PUB (Public/Semi-Public) to COM (Commercial) for property  
20 located in between C.R. 46A west and C.R. 46A east, east of the Oaklawn  
21 Funeral Home, Twin Lakes Properties, LLC, applicant – First Reading (Public  
22 Hearing)

23  
24 The City Attorney read Ordinance No. 1316 by title only on first reading.

25  
26 Mayor Meador asked for the Commission's indulgence. He wanted to let Ms. Myers and  
27 Ms. Dunaway know their concerns have been heard and will be dealt with at the time  
28 the applicant comes forward for any change. If any building takes place, their  
29 comments are part of the public record and they will be addressed.

30  
31 Mr. Noto said if it is the desire of the Commission, Madam City Attorney can read  
32 Ordinance No. 1317 which is the rezone for the same property.

33  
34 The City Attorney read Ordinance No. 1317 by title only on first reading.

35  
36 Mayor Meador said we will take a vote separately but would discuss them  
37 simultaneously.

38  
39 Mr. Noto said the requests are for a land use amendment and a rezone for the property  
40 affectionately known as "Goat Island". He showed the subject property on the overhead  
41 projector. He noted the property owner and his assistants were present. The reason  
42 for the land use amendment and rezoning is for the purpose of development of a gas  
43 station and retail buildings.

44  
45 Mr. Noto stated the plan on the overhead is preliminary and does not vest anything.  
46 The southern part that is shaded in light yellow is in the City's jurisdiction. The northern  
47 part of the property is within the City of Sanford. This presents an interesting  
48 development opportunity and an interesting opportunity for Lake Mary to work closely

1 with Sanford. The applicant is going through a land use amendment and rezoning with  
2 Sanford at the same time of the land use amendment and rezoning with Lake Mary. We  
3 are working closely with Sanford during this process to make sure the procedure runs  
4 as closely parallel as possible.

5  
6 Mr. Noto said the land use amendment is for Public/Semi-Public to Commercial. The  
7 reason for commercial is for the gas station and retail buildings. The rezone is from A-1  
8 to C-2 for the same reasons.

9  
10 Mr. Noto said as part of the rezone the applicant is going to enter into a voluntary  
11 agreement and will cover things such as landscaping in the form of Medjool palms  
12 around the eastern part of the property to make a buffer and soften up the development  
13 on the property. There would be some restricted uses that Sanford will also make note  
14 of during their process. Part of the agreement is that the project will conform to the Lake  
15 Mary sign code.

16  
17 Mr. Noto said one of the items we have noted internally is the subject of lighting. We  
18 have noted that Sanford's code is more restrictive; however, we will monitor the process  
19 and when it gets to the site plan stage we will be reviewing Sanford's plans and Lake  
20 Mary's plans to make sure that the lighting is taken care of appropriately.

21  
22 Mr. Noto said the land use amendment was reviewed by the LPA on January 21<sup>st</sup> and  
23 was approved unanimously. The rezone was heard by P&Z on January 27<sup>th</sup> and was  
24 approved unanimously.

25  
26 Mr. Noto said notices were sent within a 300-foot radius and we heard nothing. The  
27 applicant also went through a long process with the City of Sanford and meeting with all  
28 the property owners in the area. He said he believed that report showed one person  
29 from the Hills of Lake Mary that was in support. They worked with the Hills of Lake  
30 Mary to make sure the process was smooth and it was his understanding they are in  
31 support of it.

32  
33 Mr. Noto said staff finds that both the land use amendment and rezone meet all findings  
34 of fact and recommends approval of both items.

35  
36 Mayor Mealar said he appreciated the applicant meeting with the homeowners and  
37 thought it was a very productive process.

38  
39 Commissioner Duryea said it is possible for the owner to annex that piece of property  
40 into Sanford.

41  
42 Ms. Reischmann said they would have to de-annex from the City which would require  
43 proof that one of the requirements for annexation is no longer met. In other words it is  
44 no longer met such as it's no longer contiguous, creates an enclave or something which  
45 is basically impossible. You really can't de-annex.

46  
47 Commissioner Duryea asked if the applicant could petition the City of Sanford to annex  
48 the property. Ms. Reischmann answered negatively.

1  
2 Commissioner Duryea asked Mr. Omana what would happen if the Commission voted  
3 this down.

4  
5 Mr. Omana said if it is denied one possibility is to push all the buildings into the Sanford  
6 area and attempt to develop according to the bulk requirements of the City of Sanford.

7  
8 **SIDE 1B**  
9

10 Commissioner Gray said regarding drainage the staff report says public works believed  
11 the property is connected via culverts under 46A. She asked the potential impacts as  
12 far as drainage if they are not connected to culverts under 46A

13  
14 Mr. Paster said they would have to provide on-site drainage if there were no culverts.

15  
16 Commissioner Lucarelli said under the rezone section under Restricted Uses, Item K, it  
17 says private retail and recreational facilities yet the building on the exhibit is labeled  
18 retail. She asked for clarification.

19  
20 Mr. Omana said under Section K we have interpreted that provision to include private  
21 recreational facilities, for example, the outfit that has the 50 air balloons with 600 kids in  
22 it jumping up and down on a weekday birthday party type of situation.

23  
24 Commissioner Lucarelli asked if there was a wetland and how was it being dealt with.

25  
26 Mr. Omana said there are wetlands in the vicinity. That is something that would be  
27 looked at by Lake Mary and Sanford during the site plan review stage. He said he  
28 believed Sanford brought up that issue during the review. There are wetlands but  
29 exactly where is to be determined.

30  
31 Deputy Mayor Brender said his biggest concern is that Sanford has most of the control  
32 over the development yet it predominantly affects Lake Mary citizens because we have  
33 housing and apartments to the south. The proposed layout has the convenience store  
34 and gas canopy right on the point so his biggest concern is going to come later on when  
35 we get to a final site plan. He said he was picturing white floodlights making nuclear  
36 day out of that whole entire point. He said he knew there were codes, lumens, and all  
37 kinds of things that are done to try to prevent light seepage but he was not buying it and  
38 did not believe it. This is going to be lit up 24 hours a day and we've got people that live  
39 50 to 75 yards away from it. He said he knew the applicant wanted light for the gas  
40 canopy but they can't be shining out and he has to find a way to control this. While we  
41 still have some control over this we should exert a great amount of influence in what  
42 happens because it affects our citizens and not Sanford's.

43  
44 Mr. Omana said before this application was submitted, the City of Lake Mary convened  
45 a meeting with the City of Sanford and their technical folks as well as representatives of  
46 the developer. There were about 25 people in the room. We relayed to our colleagues  
47 in Sanford that we are going to make this our business, we would oversee this and  
48 provide comments on the Sanford site plan, and we are going to be involved in the

1 review process. With respect to the lighting, that is something we definitely agree with.  
2 He said he and Mr. Noto looked at the lighting codes and Sanford does get very specific  
3 and strict on those standards.

4  
5 Deputy Mayor Brender said he didn't buy it. He said he had seen too many things come  
6 up that are code and when we get it there we ask why we have that.

7  
8 Mr. Omana said that is why we made our comments known at the very beginning that  
9 we are going to be part of the process and are going to stick our nose in that business.

10  
11 Mr. Omana said when we sat down at the pre-application meeting, we said we would be  
12 driving west along 46A and what are we going to be looking at. This is serving as a  
13 gateway to a certain extent. We proposed on the "V" that Sanford provide the Rosa  
14 Medjool palms on each side to serve as a landscape entry feature with minimum buffers  
15 and a very nice landscape treatment. We wanted to relay to Sanford that we wanted  
16 the "Wow" effect. We didn't want to see a canopy there and a gas station—we want the  
17 best looking gas station. He said Sanford was on board on providing that type of buffer.

18  
19 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1316  
20 and/or Ordinance No. 1317.

21  
22 Randy Morris, 756 Keeneland Pike, came forward representing the applicant. He said  
23 this is a long process and is dealing with two jurisdictions: Sanford and Lake Mary. It is  
24 a zoning and comp plan change. Lake Mary's Comp Plan was originally done in error  
25 and is how you have a public purpose when it is a private landowner and it's not a  
26 graveyard. We have to go through that process and then go through site plan. Trying  
27 to match the two codes is amusing. We are prepared to go with the stricter code. In  
28 some cases the Lake Mary code is stricter and in some cases the Sanford code.

29  
30 Mr. Morris thanked Lake Mary staff for leading the process by bringing Sanford staff  
31 together with Lake Mary staff and Seminole County. The unique nature of this half acre  
32 being in Lake Mary and the remaining portion (2.5 acres) being in Sanford leads to  
33 exactly what staff was explaining would occur. If we didn't try to do a joint process with  
34 Lake Mary, this project would not be as valuable to the applicant and on the other hand  
35 Lake Mary would be the clear loser. The back ends of all the buildings would face Lake  
36 Mary, the trash canisters would be under their type of policies and procedures, the  
37 extensive landscaping with full caliper palms, and fountain would be gone. We are  
38 proposing a fountain at the front. The Sanford sign code would click in at that point.  
39 That is what Lake Mary would be faced with. We would also be faced with a diminished  
40 value of property.

41  
42 Mr. Morris said this property has been intended to be commercial for over 20 years.  
43 The landowner is the landowner to the north. This was one contiguous piece. The old  
44 46A was the southern portion. Originally when they were going to widen 46A, the taking  
45 of the funeral home had such extensive value plus the potential for the funeral home to  
46 say that these were the additional gravesites and the valuation of those, and also the  
47 question of disinterring and other matters. So they volunteered this land to the north

1 and then retained the land in the middle and that's why when you drive by you see the  
2 curb cuts already placed there by the County when they constructed the roadway.

3  
4 Mr. Morris said there were far more residents on the north side of 46A using this road  
5 than on the south side.

6  
7 Deputy Mayor Brender said they were way away from it though.

8  
9 Mayor Meador said he and Mr. Litton have talked with the Mayor of Sanford and their  
10 City Manager. We are going to look at every opportunity we have to partner together.  
11 He said Mayor Greene did a remarkably good job and to the City of Sanford's credit on  
12 another project, they were willing to step back and allow our staff and the Mayor to  
13 present our case. We have to look at every opportunity we can, particularly in that  
14 quadrant of the community, to partner with Sanford. This is a remarkably good  
15 opportunity to address some of the concerns and we have taken the steps to do that. It  
16 is not an us/them, we/they thing. We are truly working together. He said he was  
17 encouraged by the reaction he and Mr. Litton had on some opportunities. Rather than  
18 saying whose ox is gored, let's move beyond that.

19  
20 Mr. Morris said he completely agreed with Mayor Meador and the cooperation between  
21 the two staffs has been remarkable. He said that isn't always the case. The last  
22 instance discussed was on point with lack of cooperation that now has been corrected.

23  
24 Mr. Morris said what he was referring to with Commissioner Brender is the density of  
25 the north side. There is greater density and far more citizens to the north side in  
26 Sanford who traverse this road and go to Rinehart Road. We went before the Hills of  
27 Lake Mary at the recommendation of the manager. We had over 80 residents from the  
28 Hills of Lake Mary show up for that meeting. The residents were concerned; they liked  
29 the goat petting zoo. They had a commercial concern of what does that do to this  
30 pastoral scene they have. They were not aware of the eight-story hotel, the 400  
31 apartment units, or the six-story office building going up in the corner. They were not  
32 aware that the property to the north would either develop as apartments or an ALF.  
33 They were aware of the medical building. They and those in Sanford were aware if you  
34 want to go get a gallon of milk, gas, or bread and you live on this corridor, you've got to  
35 go to the Country Club store; go up and be a member of Sam's or go up to Wal-Mart or  
36 to 46; or you have to go to 7-11 on Rinehart and Lake Mary Boulevard. The traffic study  
37 shows this is primarily a neighborhood use. It is drive by capture and not a destination  
38 use.

39  
40 Mr. Morris said it has been their intent to use the best of the codes. The logic seemed  
41 implicit to Lake Mary and Sanford staffs to try to do a cooperative thing. A couple of  
42 things that will amuse the attorney is how to deal with the revenue side of this equation.  
43 You have sales tax revenue, property tax revenue, utility tax revenue and that has to be  
44 done by interlocal. City staff has also looked at other matters regarding this such as  
45 who does the permitting. City staff believes that since the majority of it is in Sanford that  
46 Sanford should do the permitting and would get the fees for permitting. That interlocal  
47 would come at the end of this process at some point when it became necessary to have  
48 it.

1  
2 Mr. Morris said already discussions have led to things beyond the code of Lake Mary  
3 being agreed to by the applicant. We haven't gotten to Sanford yet so they may have  
4 their list because they are getting to see Lake Mary's list. He said it was originally his  
5 intention to go to Sanford first and then Lake Mary but the schedules didn't work out that  
6 way. They are not seeing an extensive list that Lake Mary asked for which is going to  
7 lead to complications for Sanford when we are discussing them and what they may  
8 want as additional items.

9  
10 Mr. Morris said the real issue of where the uses are going to go, Sanford requires we do  
11 a public information campaign and we had one person come forward that was not from  
12 the Hills of Lake Mary but was from Sanford and spoke in favor. You are dealing with  
13 the zoning portion tonight and will be dealing with it again in a couple of weeks. It goes  
14 to Sanford March 9<sup>th</sup> and then we are back with Lake Mary with the site plan. We have  
15 already shown a trial site plan which is early for a zoning issue but we did that to stay  
16 ahead of the equations and you can be thinking of where our intentions are going and  
17 they can be thinking of what they might want to do to perfect the project.

18  
19 Commissioner Duryea said Mr. Morris has the distinction of being one of the people in  
20 the forefront of the Lake Mary Boulevard Overlay Standards and putting the electric  
21 lines underground and he is to be commended for that. He said this is not the only use  
22 that could be put to this property and thought Mr. Morris would agree to that.

23  
24 Mr. Morris said we believe the market would support commercial uses. If it doesn't  
25 support that then you would not see a service station there and would see some other  
26 use.

27  
28 Commissioner Duryea said he had a déjà vu feeling that was something Mr. Morris  
29 wouldn't allow if he was sitting here (on the Commission) with the convenience store,  
30 density, light intrusion, and all of those things. He said he thought that would be  
31 something Mr. Morris would not like to see.

32  
33 Deputy Mayor Brender said what he sees here is not people that travel down the road  
34 but sees Sam's Club and they are going to be upset if there is a lot of light coming from  
35 this place. There are Lake Mary citizens who are going to have to deal with this 24  
36 hours a day, disregarding the people that live in Sanford in the apartments that is 500 to  
37 1,000 yards away who just drive by it for two minutes. He said that was why he made  
38 the point about the lighting and how it affects the citizens of Lake Mary because people  
39 in that quadrant will have to deal with this 24 hours a day. Right now in the Sanford  
40 portion there is not anything. If apartments want to get built then buyer beware. That's  
41 an apartment complex and is well lit and it's not going to matter.

42  
43 Mr. Morris said Mr. Brender's point is well taken. He said they have seen the discussion  
44 given by him and Mr. Omana with respect to how we are working together on this. This  
45 will be a site plan issue.

46  
47 Deputy Mayor Brender interjected that he just wanted to give a heads up so they know  
48 it's coming.

1  
2 Mr. Morris said it's better to know ahead of time than at the last minute. There are  
3 required canopy heights relative to state and federal law. We can do what we can with  
4 lighting and maybe set new standards for Lake Mary. Some of these stations were built  
5 a long time ago prior to current code.

6  
7 Deputy Mayor Brender said we do need a gas station up there.

8  
9 Mr. Morris said he thought the residents would be pleased to see that. We can do  
10 everything we can to try to mitigate concerns. We believe it will be a gas station.  
11 Relative to other uses we're not sure what other uses would be applicable here because  
12 of the unique nature of it.

13  
14 Mr. Morris said on the question of the wetlands there is a low quality wetlands there that  
15 much of it was created by the building of this road. Under St. Johns rules it will probably  
16 fall under the wetlands because it is now existing. There is no great species there or  
17 anything else and it is an isolated one acre or less. We don't anticipate very big issues  
18 aside from mitigation credits or something like that with St. Johns.

19  
20 Commissioner Gray said she thought she read they had to go with the codes of Lake  
21 Mary for signage if we approve.

22  
23 Mr. Morris said we are volunteering and agreeing to that. We suggested that at the first  
24 meeting which relieved both staffs. He said to be careful because there had been  
25 trouble in that comment. We don't believe Lake Mary's code is the best in all conditions  
26 here because Sanford has evolved their code too. When we say we will adhere to Lake  
27 Mary's codes that may not always be the best for the site. What we are telling you here  
28 and what staff knows is we are going to work with them and they are going to come  
29 back with a recommendation to the Lake Mary City Commission based on the  
30 comparisons of these two codes which are somewhat different. He said what he was  
31 saying is relative to the permitting—the actual site permitting, building permits, etc.--the  
32 City of Lake Mary would prefer that Sanford does that since most is in Sanford. He said  
33 that was what he was referring to and not permitting what is allowed by laws. He  
34 apologized for not being clearer. We are trying to go with the best of the codes and  
35 build a proper project. He said to keep in mind that the property to the north is also  
36 owned by Mr. Kelly and he is concerned about what occurs on this site too because it  
37 would most likely be an ALF or something like that. You don't want something that is  
38 incompatible here.

39  
40 Mayor Meador asked if anyone wanted to speak in reference to Ordinance No. 1316  
41 and/or Ordinance 1317.

42  
43 Christopher Rafino (unsure of spelling), 460 Corniche Way, Unit 104, came forward. He  
44 thanked Deputy Mayor Brender for his comments on the lights. He said he lived  
45 immediately nearby there. One thing not seen on this map that needs to be taken into  
46 consideration, especially in lighting, is the elevation changes in that immediate area.  
47 With this gas station sitting at a higher position and the light leaking downward from the  
48 canopies would be an issue.

1  
2 Mr. Rafino said another issue he would request to be considered is the traffic impact  
3 that might occur there. He said he has to make a U-turn as he comes out. Getting  
4 across two lanes is going to be an issue when you have people coming into a gas  
5 station and into a high traffic position. That roadway going east is already a dark and  
6 blind curve, especially at night, so those are additional things to consider. Those traffic  
7 changes can have a lot of impact with people changing lanes and getting over. He  
8 asked that to be considered.

9  
10 Mr. Rafino noted there was the nearby Publix and failed to see the need for the  
11 convenience store. There is immediately a Publix there for bread and items like that.  
12 However, the location of a gas station there would be very useful.

13  
14 Mr. Rafino said he wasn't saying he was for or against it, but would like the Commission  
15 to consider these issues.

16  
17 No one else came forward and the public hearing was closed.

18  
19 Deputy Mayor Brender said he saw a great deal of discussion about deceleration and  
20 acceleration lanes. He said he didn't have to let staff know how he felt about that.

21  
22 Mr. Morris said there has been discussion relative to a decel lane or left-turn lane on  
23 both the eastbound and westbound portions. The curve of the road is far removed back  
24 and people tend to speed up in this section because there is no development. This is a  
25 County road and the County has control over those matters. The County is reviewing  
26 the decel lanes. Because of the unique nature of this property which leads to  
27 significantly greater traffic safety, this is a left in/left out. You don't have that median  
28 jump, stop, look that you have coming out of the Hills of Lake Mary. The interesting  
29 thing is when you put a decel lane in here, when the cars coming in the decel and you  
30 have the ongoing through lanes of traffic that you have to get onto immediately, the car  
31 coming up actually blocks the vision of the decel to pull out actually changing the safety  
32 parameters. The County Engineer will be making the recommendation to staff on that in  
33 both Sanford and the City of Lake Mary. It is of significant discussion and a lot of  
34 misunderstanding.

35  
36 Mr. Omana said at the pre-application meeting we made the City's position known. We  
37 also met with the County Engineering office and relayed our issues. We coordinated  
38 with Chief Bracknell and his staff. A week and a half ago the traffic studies came in so  
39 we will be coordination with Mr. Morris and the County and will report back to the  
40 Commission.

41  
42 Ms. Reischmann said she wanted to be sure the Commission doesn't get confused.  
43 Ordinance No. 1316 is a legislative matter being a future land use and as Mr. Morris  
44 indicated it's got the incorrect designation. There is no reason that you must change it  
45 to commercial but there is a basis to change the designation from public/semi-public.

46  
47 Ms. Reischmann said Ordinance No. 1317 is the quasi-judicial part. She pointed out  
48 that the Commission is straight zoning this to commercial. There is this voluntary

1 agreement but we can't do a conditional rezone. The rezoning would be straight  
2 zoning. At the next meeting the Commission would approve a voluntary agreement.  
3 She said just so you know you are not going to have that in place when you decide on  
4 your rezoning. You will have to decide on the rezoning in a vacuum without reference  
5 to that voluntary agreement and just knowing in the back of your minds that they may  
6 record that voluntary agreement and that may come up on the next agenda. This isn't  
7 like a PUD where you negotiate your parameters so anything they agree to do is purely  
8 voluntary and something could fall through where they could run away with their  
9 rezoning category.

10  
11 Mayor Meador said he was confident it is a matter of public trust. We have information  
12 on the record and had every reason to believe that will be an ongoing part of the  
13 discussion. Normally we would include that in the motion for 1317 but we cannot do  
14 that and was glad the City Attorney clarified that.

15  
16 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1316 on**  
17 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**  
18 **vote: Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**  
19 **Brender, Yes; Commissioner Duryea, No; Mayor Meador, Yes.**

20  
21 C. Ordinance No. 1317 – Rezoning from A-1 (Agriculture) to C-2 (Commercial)  
22 for property situated in between C.R. 46A westbound and eastbound, and to  
23 the east of the Oaklawn Funeral Home, Twin Lakes Properties, LLC,  
24 applicant – First Reading (Public Hearing)

25  
26 Ordinance No. 1317 was read by title only on first reading, presented/discussed, and  
27 the public hearing held under Item 8-B.

28  
29 **Motion was made by Commissioner Gray to approve Ordinance No. 1317 on first**  
30 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call**  
31 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**  
32 **Duryea, No; Commissioner Gray, Yes; Mayor Meador, Yes.**

33  
34 D. Resolution No. 838 – Amending Resolution No. 826, providing for tiered  
35 charges for the use of debit and credit cards

36  
37 The City Attorney read Resolution No. 838 by title only.

38  
39 Ms. Sova said several months ago we adopted a resolution to provide credit card  
40 acceptance through the Internet, over the counter, and through an IVR system whereby  
41 all the charges called “convenience fees” were passed on to the users of the credit  
42 cards. This has been very successful and was surprised at how many people are using  
43 it. It is particularly good on cut-off day.

44  
45 Ms. Sova said the Visa rules are such ( and the other credit card companies but it is  
46 really Visa really pressing this) that they don't like the percentage fee offered by Point &  
47 Pay. They want the flat rate fee where it is \$2.00 and then goes up in increments. We

1 need to change that so our resolution matches the charges by the credit card  
2 companies.

3

4 Commissioner Duryea said he agreed with the fact that we have to charge MasterCard,  
5 Visa, American Express, etc. because they cost us and American Express is sometimes  
6 exorbitant. Electronic checking doesn't cost us anything and it doesn't cost the payer  
7 anything.

8

9 Ms. Sova said the service we are using is Point & Pay. If they go online or go on the  
10 IVR that just happens to be their fee.

11

12 Commissioner Duryea said so it costs us to have somebody electronically transfer  
13 money to us. Ms. Sova said it costs the user.

14

15 Commissioner Duryea said it didn't cost him anything. Ms. Sova said if you get on the  
16 Point & Pay system and try to do an electronic check.

17

18 Commissioner Duryea said he was asking because he was confused. Ms. Sova said  
19 people using their own bank and we encourage people to do that. We like to get  
20 electronic payments and they are very easy to handle. Over 200 came in tonight.

21

22 Deputy Mayor Brender asked what an electronic check was. Ms. Sova said when  
23 somebody goes to our Web site and says they want to pay their bill with the Point & Pay  
24 symbol, it toggles them to the Point & Pay Web site or they can call the IVR. It is going  
25 straight to their checking account rather than using a credit card.

26

27 Commissioner Duryea said when he calls Florida Power and pays his bill online he does  
28 it through a direct debit from his checking account on their Web site and it doesn't cost  
29 him anything.

30

31 Ms. Sova said we don't have that kind of portal and to get that kind of portal is very  
32 expensive which is why we chose this option. We have too few customers and the real  
33 problem is our size is very small. She said she didn't know if anyone had used an  
34 electronic check yet, but the IVR is popular.

35

36 Commissioner Duryea said based on the system we are using it does cost us. Ms.  
37 Sova said it would cost us to put in a system. We would have to buy software.

38

39 Commissioner Duryea said with the system we have now, it costs money to accept the  
40 check transfer. Mr. Litton said that was right. If somebody tried to use it, yes it would  
41 cost us money.

42

43 Commissioner Gray asked how much a person would pay if their bill was \$101.00. Ms.  
44 Sova said \$4.95.

45

46 Deputy Mayor Brender said most of the people in the City use automatic draft which  
47 does not charge or a direct draw from their own bank service, so this affects a miniscule  
48 number of people.

1  
2 Ms. Sova said it was greater than she thought it was going to be. There are over 100  
3 transactions a month through the Point & Pay system. We don't charge them; these  
4 people pay Point & Pay. We don't get any of the convenience fee. They are a portal in  
5 the middle for us to get this money.  
6

7 Commissioner Gray asked about Pay Pal. Ms. Sova said she wasn't sure Pay Pal  
8 would take utility payments but could find that out. The City doesn't pay anything for  
9 this Point & Pay service and thought we would have to pay for Pay Pal. She said the  
10 system works well for people who want to put up their security deposit and they are out  
11 of town or across town. This keeps people from having to come in. That's what they  
12 like about cut-off day—they don't have to come in.  
13

14 **Motion was made by Deputy Mayor Brender to approve Resolut9on No. 838,**  
15 **seconded by Commissioner Lucarelli and motion carried by roll-call vote: Deputy**  
16 **Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner Gray, Yes;**  
17 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**  
18

19 IX. Citizen Participation  
20

21 No one came forward and citizen participation was closed.  
22

23 X. Reports  
24

25 A. City Manager  
26

27 Mr. Litton said he had no action items but wanted to keep the Commission apprised of  
28 where we are financially as we move into these unchartered times. He distributed a  
29 summary of revenues going back to 2005 to give an idea of what has transpired since  
30 that time. He asked Ms. Sova to give an update.  
31

32 Ms. Sova said our largest revenue of the year is kind of front end loaded and everything  
33 pretty much happens toward the end of the first quarter and that is ad valorem taxes.  
34 As of the end of January they were at \$6.7 million and we got another \$320,000 in this  
35 week so we are moving along nicely with our ad valorem. We will hit target for the year.  
36 She said she would think by this point if we had any large businesses go bankrupt that  
37 would affect the tax rolls we would have noticed it and she had not noticed anything like  
38 that. She thought the numbers looked favorable.  
39

40 Ms. Sova said the franchise fees and utility taxes are pretty much on target. The  
41 propane moves around—the catch up and slow down depending on who they have as  
42 customers. It grew four years back when they added some customers on Rinehart  
43 Road and believed they have lost one of those customers now. We have called about  
44 that one and asked what was going on. Those revenues look steady and are a little  
45 above where they should be at the 33% point.  
46

47 Ms. Sova said building permit-wise, we have had a couple of interior build outs and one  
48 big building so building permits is up. One of these permits was \$100,000. That is hard

1 to predict. Sometimes we know development is coming and sometimes we don't know  
2 just when. We probably won't keep up that pace the rest of the year.

3  
4 Ms. Sova said the court fines are down. That moves slightly depending on what's going  
5 on with the hearing officer who hears those tickets and how much they are letting go by  
6 and how much is actually getting assessed. We are over the lump from several years  
7 ago with the distribution where the court clerk ended up getting a larger percentage of  
8 the fines. The statute changed. In 2005 the number was a lot greater than what we are  
9 anticipating this year or how we finished out '08. There is a \$44,000 difference in just  
10 three years.

11  
12 Ms. Sova said the local option gas tax is at 31%. It's a little low and we are hearing  
13 people are driving less and using less gas. It's an interesting thing with gas prices  
14 dropping that people did not change their habits back and seem to have adopted new  
15 habits and kept them.

16  
17 Ms. Sova said she spent today at a conference on budgets and got the latest update  
18 from the state on the state revenue sharing. We have budgeted this year \$302,000 and  
19 they have changed our estimate to \$269,384. That actually would push that percentage  
20 up a little bit. We are showing 30% and if we drop our budget then the estimate goes  
21 up some. Last year's actual was \$298,000 and they are projecting this year at  
22 \$269,000 so you can see the state revenues dropping.

23  
24 Ms. Sova said with the half cent sales tax the same thing is happening. The state has  
25 dropped the estimate to \$914,101 and last year's actual was \$962,000. Those numbers  
26 are down and are staying there. They are predicting about 4.9% down from last year.

27  
28 Mayor Meador said the reason he asked for the spreadsheet is we get a visual picture  
29 and this city is in remarkably good shape. What this demonstrates is exactly what we  
30 heard at the State of the County last Friday. They have done an incredibly good job  
31 with fiscal management. There is simply going to be reduced revenue streams. When  
32 we do the Strategic Planning Session that is going to be a key issue.

## 33 34 **SIDE 2A**

35  
36 Mayor Meador said this is one of those things were we are going to have to be  
37 meticulous in the decisions we make related to any expenditures beyond those that  
38 have already been factored in and you can see that some of those need to be  
39 reevaluated.

40  
41 Ms. Sova said in charges for services, zoning fees are way down. We don't have any  
42 developer bonuses this year. It has slowed down considerably from what we have had  
43 happen in the past.

44  
45 Ms. Sova said the Farmer's Market is doing well and we have had a good first year.  
46 That is not something we count on but it's part of the package. The Events Center will  
47 start doing better now that the first year's incentive rates are out of the picture so that  
48 will pick up from here forward by around 20%.

1  
2 Ms. Sova said the big story is interest income. It's just not good. She said she had a  
3 section about investments in the report. We have changed our strategy to pick up on  
4 some of this but there are not a lot of real safe places to make up the kind of interest we  
5 used to make. This is reflective of what happened to our revenue stream related to  
6 interest. Our transfers are at target. If you look at the 2007 and 2008 actual and the  
7 projected for 2009 you can see that the revenues are flat. There is not a lot of change  
8 that we are going to see and didn't expect in the next year to see any growth there. The  
9 property appraiser says he thinks in Seminole County we can expect a 7 to 10%  
10 reduction in property values. The County's prediction was the entire general fund would  
11 be down by 3-1/2% so for Lake Mary that is over \$600,000.

12  
13 Ms. Sova said expenditure-wise we are about 4% short for this time of the year and is  
14 about how we end up the year because we don't spend all the way to the last dime.  
15 The only one that gets high is risk management because we have the benefits fair early  
16 in the year and we buy gift cards and things for the safety awards.

17  
18 Ms. Sova said in special revenue funds we have done better than we thought this year  
19 on impact fees and that is the one big building that got permitted.

20  
21 Ms. Sova said in capital projects spending is slow. We're waiting on Skyline Drive.

22  
23 Ms. Sova said the water and sewer revenues are at 32% and are about what we  
24 predict. We are moving some of our potable water stream into reclaimed. Public works  
25 is working hard, particularly to get the users on Lake Mary Boulevard on reclaimed, so  
26 the revenues will decline for potable. The new water rates get billed next week. We  
27 have seen some projected bills already that aren't pretty so those will start helping a  
28 little but we are hoping not too much because we designed those rates to be revenue  
29 neutral.

30  
31 Ms. Sova said in the stormwater fund the revenues are at 34% and expenditures at  
32 20%. When the repaving happens that will come up because the capital in there is the  
33 annual resurfacing to roads with the cold mix.

34  
35 Ms. Sova said she would like to talk about the investment program. She and the City  
36 Manager met with Commissioner Duryea who is the representative on the Investment  
37 Committee. We met in December and talked about what we are going to do because  
38 the property tax money was starting to come in and we needed a better investment  
39 strategy or a different one. Treasuries were falling off at that point at a rapid pace. The  
40 fed was dropping the rate every few weeks. We looked into a new program called  
41 CDARS whereby the City goes to a single bank and invests in CD's and that bank in  
42 turn spreads them around. We deal with one bank and get one bank statement but we  
43 can invest more than the \$250,000 and it gets spread around. The good thing about  
44 that is it is fully insured and we also have the backing from the state's collateral pool.  
45 She felt like that was as good a coverage as we were going to get and about as safe as  
46 we were going to be.

47

1 Ms. Sova said another thing about buying these CDARS was the interest rates at the  
2 time were very favorable and it was widely known that another fed rate cut was coming  
3 and it did come the following week after we invested in these. Our checking account  
4 rate that is pretty much tied to the fed funds rate is almost zero. We invested in the  
5 CDARS and got a six-month one at 2.65% and we laddered them out up to three years  
6 which is the mid point in our investment program at 4.2%. When the fed funds rate  
7 went to zero that 4.2% seems pretty good. This is money that can stay long term  
8 invested. We don't need it for liquidity. When we worked with Seaside Bank and  
9 opened the account with CDARS because we got three quotes and they provided the  
10 best quote for this program, they put the money in a money market account overnight  
11 while they transferred it to the CDARS program and invested it in the CD's. She gave  
12 me the interest rate on that and it is a lot more than the SBA is paying and is a lot more  
13 than we are getting on our checking account. We've got to keep some of our money  
14 liquid and we need to make some interest on it. We have been parking our money in  
15 that money market account at 1.65% rather than keeping it in our checking account with  
16 Sun which has been making almost no money.

17  
18 Ms. Sova said we have changed our strategy, our money is diversified, we still own a  
19 bond portfolio, we have the CD's, have cash in a money market account, and have our  
20 regular operating account. We can't ever be in a predicament like some places that had  
21 all their money in the SBA. The market requires that we reach out and do something  
22 different and we did. She said she went to an investment class last month and CD's  
23 was one of their suggested "where do you go now" options.

24  
25 Deputy Mayor Brender asked if they planned an interest rate for the budget for '09. Ms.  
26 Sova said 4%. She said the portfolio was pushing the 5% point and it just dropped like  
27 a rock.

28  
29 Ms. Sova said the bond program is over 3% and a lot of the bonds are callable. We had  
30 one mature this week and we've got a call happening next week. That's why the CD's  
31 are better because those are secure rates and we know we are going to get those rates.  
32 Every time the fed drops the rate the callable bond looks higher than the fed rate and  
33 they call it.

34  
35 Mr. Litton said that will be one of the topics at Strategic Planning. He asked the  
36 Commission to get any comments, thoughts, input, or information they would to discuss  
37 to him or Ms. Sova as soon as possible so we can look at it. We have got to make  
38 some tough decisions.

39  
40 Mr. Litton said the Strategic Planning Session is scheduled for March 10<sup>th</sup>, 3:00 P.M. at  
41 the Events Center.

42  
43 Mr. Litton announced the Lake Mary Little League opening day ceremonies would be  
44 this Saturday at 10:00 A.M. There is a whole day of events followed by three games  
45 that start at 3:00 P.M.

46  
47 Mr. Litton said Lake Mary Celebrates would be held on March 7<sup>th</sup> from 10:00 A.M. to  
48 3:00 P.M. in Central Park. There will be artists, purveyors of goods and services, kids'

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1 games, and entertainment. The event is free and hoped all the families would come  
2 out.

3  
4 Mr. Litton said the Events Center will have new phone numbers starting March 9<sup>th</sup>.  
5 Those numbers are 407-585-1490 and 407-585-1494. This is part of the new telephone  
6 system.

7  
8 Mr. Litton said he distributed a letter he got from the Trailblazers and didn't need any  
9 action or consideration but wanted the Commission to be aware. He said this is one of  
10 the things they would probably want to talk about at Strategic Planning. We are looking  
11 at other sites but are not having a lot of luck.

12  
13 Mr. Litton said we mailed out the letters and brochures on the new recycling program.  
14 We got a lot of positive response and a lot of thank yous. Some people have concerns.  
15 The carts are staged at Public Works and they will start distributing them tomorrow or  
16 Saturday.

17  
18 Mr. Litton said we had an offer on Engine 37. We had a trade-in consideration of  
19 \$75,000 but they offered to market that engine for us and we have a price of \$120,000.  
20 He said he wanted to commit to that. He said they do get a \$12,000 finder's fee so the  
21 City's net is \$108,000. We get to keep it until our new unit arrives. The buyer is putting  
22 down 10% so in the event he doesn't do it then we get the 10%.

23  
24 **Motion was made by Commissioner Duryea to approve the offer as stated for**  
25 **Engine 37, seconded by Commissioner Gray and motion carried unanimously.**

26  
27 Mr. Litton said Progress Energy is going to start their tree cutting activities tomorrow or  
28 Monday. They are going to do it all at once and have sent letters to all the residents.  
29 He said he didn't know what the feedback is but according to Trish Johnson, Progress  
30 Energy's Public Relations Coordinator, they haven't had a lot of negative stuff.

31  
32 B. Mayor

33  
34 Mayor Mealor commended the police department. He said he had the pleasure of  
35 attending the DARE graduation at Lake Mary Prep. What a remarkable morning when  
36 you see those fifth graders reflect on the instruction that we have been giving them. He  
37 said our officers do a very good job. He said because of budget constraints the Sheriff's  
38 Office has had to reevaluate that. He said he was pleased that this city goes forward  
39 with that program because he didn't look at that as an expenditure but as an investment  
40 when you see the impact it has on these young people.

41  
42 Mayor Mealor said yesterday the Lake Mary Women's Club held a fashion show as a  
43 fundraiser. He said the Women's Club did a good job and they do so much for the  
44 community and all those proceeds go back to our young people and citizens.

45  
46 Mayor Mealor said he attended the Lake Mary Little League opening ceremonies. He  
47 said he had the first pitch and it was a strike.

48

1 Mayor Mealor said the mayor is to recommend a Deputy Mayor. He said he had given  
2 this a lot of thought. He said in 1988 when he first came to the commission, in many  
3 ways Commissioner Duryea was very much instrumental in his running at that time. He  
4 said when he looked at the record of how we have served, he noticed the current  
5 deputy mayor has served less than a year. He recommended to extend Commissioner  
6 Brender's tenure for at least another year.

7  
8 **Motion was made by Commissioner Gray to approve the reappointment of**  
9 **Commissioner Brender to Deputy Mayor, seconded by Commissioner Lucarelli**  
10 **and motion carried unanimously.**

11  
12 C. Commissioners (1)

13  
14 Deputy Mayor Brender said CALNO is March 4<sup>th</sup> and the City of Lake Mary would be  
15 hosting and would be a presentation on Transit Oriented Development.

16  
17 Deputy Mayor Brender said he would be doing the starting gun again for the Special  
18 Olympics Program at Lake Mary High School on February 28<sup>th</sup> at 8:30 A.M.

19  
20 Commissioner Duryea said they all received a letter from the Trailblazers about the dog  
21 park and their inability to successfully raise money and volunteers. He asked the  
22 Commission what they were doing about the dog park.

23  
24 Mayor Mealor said he believed it is an amenity for the community. He said he was  
25 moved by the Springhurst community and some of their concerns. He said when he  
26 went out to the site after the rains he immediately called Mr. Carrico and said this has  
27 the potential to be a real problem and all we are going to do is validate the concerns  
28 that the people expressed in terms of the water and wetness at that particular site. We  
29 are looking at alternative sites and he recommended looking behind the Siemens  
30 property. He said Mr. Carrico and staff did go out there.

31  
32 Mayor Mealor said the Trailblazers have proven that they can deliver and he absolutely  
33 believed in them. He said he didn't believe the way we structured that meeting with a  
34 temporary structure was the best way to do that. He said he led that discussion and  
35 admitted he probably could have done a better job and was thankful that we didn't move  
36 forward. He said it was his recommendation to try to go forward with a permanent site  
37 and ask the Trailblazers to partner with us in that activity.

38  
39 Deputy Mayor Brender said he attended the Trailblazers meeting last week and they  
40 had problems with the temporary idea, particularly when a temporary fence costs as  
41 much as permanent fence in six months. He said he understood the Siemens site was  
42 not going to work. If there is a site out there then he would be all for it. He said he  
43 forwarded an e-mail to John Litton regarding environment data on dog parks. He said  
44 there is good science out there. His daughter is a water resource engineer and she  
45 came through with flying colors. There is a great deal of data on dog parks. It is  
46 collected and held in a lot of engineering circles and that's why it's not out there in the  
47 general realm. He said he would have Mr. Litton send this to the Commission. It is  
48 very substantial and she listed 14 or 15 engineering and scientific articles and it does

1 address the excrement issue. He said dog excrement is a big problem but it is a big  
2 problem everywhere. It's not a big problem in dog parks when it is properly managed.  
3 One of the articles that was interesting is they found by having a properly managed dog  
4 park that you can clear larger areas of the poop because it is in one place. The key is  
5 you manage that one place. The problem that people have with dog poop now is we  
6 tend to go out with our plastic bags, we pick it up and tie it tightly, and then put it in  
7 another plastic bag which is the trash can, then we take it to the landfill. Dog poop is  
8 becoming a problem because it never breaks down inside a double plastic bag. He  
9 encouraged them to read through the information. There were things regarding  
10 composting.

11  
12 Commissioner Gray said she would not support the City fronting any money for the dog  
13 park.

14  
15 Commissioner Duryea said he has had meetings with the former Chairman of the  
16 School Board and had people calling him on the phone concerned about the problem  
17 with the pool. He said our Mayor stepped in it a little bit by his letter.

18  
19 Mayor Meador said that was not the way he liked to do business. He explained because  
20 of the Sunshine Law and this being an issue that may come back for a vote he could not  
21 talk about it.

22  
23 Commissioner Duryea said he was not being critical but was saying that this was  
24 brought on by some of that discussion that took place on account of that. He said he  
25 would personally change his view of this if we had alternative funding. If we could sell  
26 the York and use those funds to make up our commitment for the swimming pool then  
27 he would be in favor and would change his vote and be supportive. He asked if that  
28 was something they wanted to reconsider. He said he knew it was a touchy subject but  
29 was something they had to address.

30  
31 Mayor Meador said he thought it was a timely issue. He said he voiced his opinion  
32 based on the information that had been presented to him and the fact that an amended  
33 contract substantially changed the original intent that this commission voted on. The  
34 County Commission has it agended for Tuesday morning. He suggested to wait and  
35 see what they do.

36  
37 Commissioner Duryea said one of the things that has happened is some of the County  
38 Commissioners feel that it's a dead issue with us.

39  
40 Mayor Meador said it was a dead issue with him. He said he was only one vote.

41  
42 Commissioner Duryea said he understood that but you are the mayor and people tend  
43 to imply or get more authority out of that than is actually given you by our charter. He  
44 said his question was do we want to discuss it or don't we.

45  
46 Commissioner Gray said not tonight.

47

1 Commissioner Gray said she attended the PBAS and there was a speaker from the  
2 Burnham Institute which is going to be a part of Medical City.  
3  
4 Commissioner Gray said she attended the EDC Forum and the subject was water  
5 conservation, groundwater, surface water, and those types of issues.  
6  
7 Commissioner Gray said she attended the Tri-County board meeting and there was a  
8 resolution regarding getting civics classes back into the classroom. She said Tri-County  
9 was trying to get all 22 cities and the Florida League of Cities is trying to get all 412  
10 cities to approve the resolution.  
11  
12 Commissioner Gray said she attended the "Growing Home" event. There will be filming  
13 of the history of Lake Mary if funding is raised.  
14  
15 Commissioner Gray said she attended the State of the County and it was very good.  
16  
17 Commissioner Gray said Mayor Mealor's beautiful wife and Cora Rice were also models  
18 in the Women's Club fashion show.  
19  
20 Commissioner Gray said she attended the Tri-County League of Cities today and the  
21 president of the Florida League of Cities spoke about the bills that are going to be in this  
22 session. We had a speaker from Metroplan and the key points about economic  
23 development was to speed up permitting, wait for payment of impact fees until the  
24 building is CO'd and maybe get 50% from the developer and 50% from those who move  
25 in or buy, and to pay close attention to your current local businesses so we don't lose  
26 them. She said she talked to Mr. Litton about that and we talked about the "wealth  
27 generators" and that's visiting the business and see how things are going. Denver sent  
28 valentines to businesses they want to woo from California to Colorado. Georgia has  
29 come to Florida and is very active here because Florida is having some problems. The  
30 vultures are trying to get business from wherever they can.  
31  
32 Commissioner Gray said she attended the grand opening of the Executive Realty place.  
33 One of the residents from the Hills of Lake Mary asked how to go about getting a STOP  
34 sign on the trail/sidewalk on 46A at Bright Meadow. Mr. Litton said they would look into  
35 it.  
36  
37 Commissioner Lucarelli said she attended the State of the County luncheon and  
38 Chairman Dallari did a good job.  
39  
40 Commissioner Lucarelli said she attended PBAS and you can go to their Web site and  
41 get on the e-mail list to be notified when they have the grand opening of their new  
42 building.  
43  
44 Commissioner Lucarelli said she attended the CRA meeting and they voted to have an  
45 Earth Day on April 25<sup>th</sup> at the 18<sup>th</sup> Street Park on 17-92 in Sanford. The event is to  
46 promote environmental awareness as well as the CRA corridor. Sanford is sponsoring  
47 it this year and it is the hope that each city in the CRA will take a turn annually hosting  
48 this event.

1  
2 Commissioner Lucarelli said there is going to be a ribbon cutting for the main CRA at  
3 the Patio Grill but the date is to be determined.

4  
5 D. City Attorney  
6

7 Ms. Reischmann reported on that Venice case where the personal computers of three  
8 council members were seized and reviewed to determine if there was any city business  
9 on there that had not been disclosed to the litigant that sought public records from them.  
10 The judge ruled that the council members had to cover the cost for the computer expert  
11 who extracted the e-mails from the personal computers which was some \$8,000. She  
12 said she wanted the Commission to be aware of that and they need to be sure that  
13 anything on your computer having to do with city business is forwarded to the City  
14 Clerk. What they were faulting this mayor on was not utilizing the save function but the  
15 same can be achieved by simply forwarding every single e-mail. They are going to trial  
16 on this case February 23<sup>rd</sup> and would let the Commission know how that comes out.  
17

18 Deputy Mayor Brender said any e-mail generated from somebody that has something to  
19 do with city business we should forward to the City Clerk.  
20

21 Ms. Foster said that would work best and she would keep it for public record.  
22

23 Deputy Mayor Brender asked about e-mails regarding boards that they participate on.  
24 He said he was now getting a lot of e-mails from people regarding the Expressway  
25 Authority. He asked if he should forward that as city business.  
26

27 Ms. Reischmann said sometimes they are intertwined. If you are going "should I or  
28 shouldn't I" then you should forward it. It's not going to hurt and if you are under oath  
29 you have to say that everything regarding city business was forwarded.  
30

31 XI. Adjournment  
32

33 There being no further business, the meeting adjourned at 9:15 P.M.  
34  
35  
36

37 \_\_\_\_\_  
38 David J. Mealor, Mayor  
39

\_\_\_\_\_   
Mary Campbell, Deputy City Clerk  
40  
41

42 ATTEST:  
43  
44

45 \_\_\_\_\_  
46 Carol A. Foster, City Clerk