

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held May 7, 2009, 7:00 P.M.,
2 Lake Mary City Commission Chambers, 100 North Country Club Road.

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4
5 I. Call to Order

6
7 The meeting was called to order by Mayor David Mealor at 7:05 P.M.

8
9 II. Moment of Silence

10
11 III. Pledge of Allegiance

12
13 The Pledge of Allegiance was led by Ettie Jane Keogh.

14
15 IV. Roll Call

16 17 Mayor David Mealor	John Litton, City Manager
18 Deputy Mayor Gary Brender	Carol Foster, City Clerk – Excused
19 Commissioner George Duryea	Jackie Foster, Finance Director/ Assistant City Manager
20 Commissioner Shirley Gray	John Omana, Com. Dev. Dir.
21 Commissioner Jo Ann Lucarelli	Gary Schindler, City Planner
	Steve Noto, Planner
	Bill Carrico, Parks & Rec. Dir.
	Bruce Paster, Public Works Dir.
	Steve Bracknell, Police Chief
	Craig Haun, Fire Chief
	Katie Reischmann, City Attorney
	Mary Campbell, Deputy City Clerk

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30
31 V. Approval of Minutes: April 16, 2009

32
33 **Motion was made by Commissioner Gray to approve the minutes of the April 16, 2009,**
34 **meeting, seconded by Deputy Mayor Brender and motion carried unanimously.**

35
36 VI. Special Presentations

37
38 A. Proclamation – Ettie Jane Keogh Day

39
40 Mayor Mealor read and presented a proclamation to Ettie Jane Keogh proclaiming May 7,
41 2009, as “Ettie Jane Keogh Day”.

42
43 Ms. Keogh thanked everyone. She said this is another reason why she knows that Lake Mary
44 is home and will always be.

45
46 B. Proclamation – Lillian Griffin Day

1 This proclamation was not presented at this time.

2
3 C. Proclamation – Water Safety Month

4
5 Jennifer Pierce and Wendy Niles of the Lake Mary Fire Department came forward.

6
7 Mayor Meador read and presented a proclamation to Jennifer Pierce proclaiming May 2009 as
8 “Water Safety Month”.

9
10 Ms. Pierce said nothing is more fun on a warm day than jumping in a pool whether you are at
11 home, at a local park, or at a water park. But while you’re having fun, remember that water
12 safety is serious business. It only takes seconds in the water for a child to lose consciousness
13 and just a few short minutes before permanent brain damage sets in. May is National Water
14 Safety Month and the Lake Mary Fire Department wants to remind you that wherever you and
15 your family swim to please be water aware. Follow the rules and make sure there is always
16 adult supervision. Sign up for swimming lessons or join us for a CPR class. Water safety is
17 everyone’s responsibility.

18
19 D. Proclamation – Affirming Partnership with the U.S. Census Bureau in Support of the
20 2010 Census

21
22 The City Attorney read and Mayor Meador presented a proclamation to Jose Martinez of the
23 U.S. Census Bureau affirming partnership with the U.S. Census Bureau in support of the 2010
24 Census.

25
26 Mr. Martinez showed a video regarding the census at this time.

27
28 Commissioner Gray said she heard they were hiring 150,000 across the United States.

29
30 Mr. Martinez answered affirmatively. He said they were opening an office in Sanford in October
31 and would be hiring management and staff for that office.

32
33 VII. Unfinished Business

- 34
35 A. Ordinance No. 1318 – Rezoning from C-1 (General Commercial) to DC (Downtown
36 Centre), 187 E. Crystal Lake Avenue; Chris Mahnken, applicant – Second Reading
37 (Public Hearing) (quasi-judicial) (postponed 4/16/09)
38 1. Voluntary Developer’s Commitment Agreement

39
40 The City Attorney read Ordinance No. 1318 by title only on second reading.

41
42 Mr. Omana said staff had nothing further on second reading and recommended approval. He
43 pointed out that the applicant has requested that the Voluntary Developer’s Commitment
44 Agreement be withdrawn in light of the action by the Legislature on the SunRail project. At first
45 reading we mentioned that the developer’s commitment agreement included a number of

1 provisions preparing us for the SunRail project. In light of the vote taken in Tallahassee that
2 matter is not further deliberated at this point and we request that withdrawal.

3
4 Mayor Mealor said he understood the direction we are going here. He asked if that in any way
5 puts the City in a difficult position for future activity if we remove the developer's commitment
6 agreement.

7
8 Mr. Omana said in his opinion it would not create a difficult situation for the City. We have
9 been in conversations in a very cooperative tone with Mr. Mahnken since he does intend to
10 develop his property in the future in such manner under the DC zoning. In the event that
11 opportunity popped up again, we would be in a position to go back and discuss this matter with
12 Mr. Mahnken.

13
14 Commissioner Duryea asked if the ordinance had any reference to the commitment
15 agreement. Ms. Reischmann answered negatively.

16
17 Ms. Reischmann asked if the owner would be willing to provide a Right of First Refusal just in
18 case SunRail gets revived.

19
20 Mayor Mealor said he was in communication with Congressman Mica's office on Monday and
21 Tuesday of this week. He applauded the Congressman's efforts because he does not want
22 this issue to be dropped. He commended Congressman Mica for that because this is an issue
23 that's critically important not just to Central Florida but also to the State of Florida. He said in
24 his seven years in the legislative process, big items take time. That issue came farther this
25 year than it did last year. He said Lakeland had some valid points. This is the type of thing
26 that can continue to be worked through, being respectful of the differences that are out there.
27 He applauded those who were not willing to drop this issue. It's too important to our
28 community. It was one decade ago that we made that decision to drop it. Ten years later we
29 are in the exact same place we were then. This is an issue he hoped would not go away.

30
31 Chris Mahnken, applicant, came forward.

32
33 Mayor Mealor said he didn't think there was an objection to honor Mr. Mahnken's request to
34 withdraw the Voluntary Developer's Commitment Agreement. He said the City Attorney
35 mentioned the Right of First Refusal and asked Mr. Mahnken if that was something he would
36 consider.

37
38 Mr. Mahnken asked if that was attached to the zoning change. Mayor Mealor said it is not. It
39 is simply allowing the City, should it desire, the right of first refusal to that property.

40
41 Mr. Mahnken said yes, we would.

42
43 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1318. No one
44 came forward and the public hearing was closed.

1 Commissioner Duryea said if he wasn't mistaken, the agreement for first refusal is for a piece
2 of real property and cannot be verbal.

3
4 Ms. Reischmann said that was correct. She said Mr. Mahnken approved the language that's in
5 the voluntary commitment that provides for the right of first refusal. In order to save time the
6 Commission can vote on the ordinance and then do a separate vote saying you would like to
7 see a right of first refusal based on the paragraph that contains that language (Paragraph 2).

8
9 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1318 on second**
10 **reading, seconded by Deputy Mayor Brender and motion carried by roll-call vote:**
11 **Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner Gray, Yes;**
12 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

13
14 **Motion was made by Deputy Mayor Brender to authorize the parties to sign a Right of**
15 **First Refusal in accordance with Paragraph 2 of the withdrawn Voluntary Developer's**
16 **Commitment Agreement, seconded by Commissioner Lucarelli and motion carried by**
17 **roll-call vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
18 **Lucarelli, Yes; Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

19
20 B. Ordinance No. 1319 – Amending water conservation regulations to comply with St.
21 Johns River Water Management District's Rule – Second Reading (Public Hearing)

22
23 The City Attorney read Ordinance No. 1319 by title only on second reading.

24
25 Mr. Paster stated staff had nothing further on this ordinance.

26
27 Deputy Mayor Brender asked Mr. Paster to let them know where they came out on the rain
28 sensors for irrigation systems installed before 1991.

29
30 Mr. Paster said it has already been a state law. Every time the building department issues a
31 plumbing permit for an irrigation system they have ensured in the past that they have been
32 installed. There is no change to what the City is currently doing.

33
34 Mayor Mealor asked if anyone wanted to speak for or against Ordinance No. 1319. No one
35 came forward and the public hearing was closed.

36
37 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1319 on second**
38 **reading, seconded by Commissioner Gray and motion carried by roll-call vote:**
39 **Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes;**
40 **Commissioner Duryea, Yes; Mayor Mealor, Yes.**

41
42 VIII. New Business

43
44 A. Request for Preliminary PUD for Lake Mary Preparatory School, 650 Rantoul Lane,
45 140 E. Wilbur Avenue, and 143 E. Lake Mary Avenue; Lake Mary Real Estate,
46 LLC/Larry Lombardi, applicant (Public Hearing) (quasi-judicial)

1
2 Mr. Schindler requested to address Items A and B together but take action on them separately.
3 There were no objections from the Board.

4
5 The City Attorney read Ordinance No. 1321 by title only on first reading.

6
7 Mr. Schindler said we have an unusual animal tonight. We have a PUD that is not contiguous.
8 He said when Mr. Buchanan initially came to them and talked about what Lake Mary Prep
9 wanted to do, he and Mr. Omana got together and discussed how we can do this that will be
10 supportive but yet would give the City Commission maximum flexibility and control over the
11 item. We felt PUD was a good way but normally in a PUD all the properties are contiguous.
12 We looked through the regulations and could find nothing that said they had to be contiguous.
13 In light of the fact that all properties are owned by the school, are associated with school
14 proposed functions, we believe there is nothing in the PUD that is contrary to the City's Code
15 of Ordinances. Working with Madam Attorney we have further strengthened the PUD to
16 reflect its unique nature.

17
18 Mr. Schindler said what is being proposed tonight is primarily the use of the property known as
19 the Junior Academy and an adjacent piece of property for the purpose of creating dormitories
20 for foreign students. The only change that is proposed on the main campus is the flexibility of
21 having the swimming pool. The approved master plan shows a swimming pool. He pointed
22 out the proposed pool on the exhibit. They have requested the flexibility of having either a
23 swimming pool or another classroom building. That is the only change being proposed on the
24 main campus.

25
26 Mr. Schindler said nothing they are doing impacts the overall threshold of total number of
27 students (800) or the 400 students threshold for Grades 9 through 12. It exists today and if
28 approved will exist with the new PUD.

29
30 Mr. Schindler said for the Wilbur Avenue property, we have a vacant building. In Phase 1, the
31 proposal is to renovate that building, not changing the footprints with the result being space for
32 28 beds. We will be dealing with beds rather than students because beds are what they are
33 producing. Phase 1 would be done immediately and want to have that completed by
34 September 2009.

35
36 Mr. Schindler said Phase 2 is the creation of ten on-street parking spaces on the south side of
37 Wilbur Avenue. Although it would benefit this property, this also benefits the City's stair step
38 park which is adjacent on the south.

39
40 Mr. Schindler said Phase 3 would be the expansion eastward on the existing property and
41 would a total of 98 beds. Phase 3 is not proposed to be finished before the end of August
42 2010. If Phase 3 is accomplished, the traffic from this property would come in the existing
43 driveway. There is an existing driveway with 20 some odd parking spaces. Rather than going
44 out to Wilbur traffic would access via the existing alleyway to Second Street.

1 Mr. Omana reminded everyone that the red dot is not picked up by the TV. He asked that
2 anyone coming up for public hearing comments who are going to be using our exhibits to point
3 to it for the benefit of the viewing audience.

4
5 Commissioner Duryea asked if the alley had been vacated. Mr. Schindler answered
6 negatively.

7
8 Commissioner Duryea said that would be another issue. He asked if it was the whole alley or
9 just half. Mr. Schindler said as far as we can tell the alley is intact from Second Street to
10 Country Club.

11
12 Commissioner Duryea said the right-of-way is assuming they are using the whole alley. Mr.
13 Schindler said they are using the entire 20 foot of width. We do not see the need to vacate the
14 alley.

15
16 Commissioner Duryea said you have the owners of Lots 14 and 15 and some of 13. Mr.
17 Schindler said they can use the alley for access to their property.

18
19 Commissioner Duryea said they have some sort of implied interest in that alley. He asked if
20 they should have some right to say if there is going to be a paved driveway.

21
22 Ms. Reischmann said if it was vacated they would have the right to come in and claim that they
23 are using the alley and they need the alley, but in this instance she didn't think it was
24 necessary for the City to notify them of paving because once we have the easement through
25 use we can improve it. She said Mr. Schindler has indicated they can still use it. It isn't being
26 vacated.

27
28 Commissioner Duryea said he wasn't talking about the vacation per se but was talking more
29 about the implied right of those people that live on the north side of that property to access that
30 alley. He asked if anybody had contacted them and are they happy.

31
32 Mr. Schindler said he knew Lots 14 and 15 were owned by the Popes. They have been
33 contacted. He said Mr. Nick Pope was at the Planning & Zoning Board meeting. He said he
34 knew Mr. Pope has been in contact with the applicant and there were certain issues
35 addressed. He noted Mr. Pope was present. We are saying that they plan to pave a portion
36 of it. If Mr. Pope or anyone else adjacent to the alley wishes to continue the pavement, I don't
37 know that the City has an objection. As a rule of thumb the City does not improve alleyways.

38
39 Mr. Schindler said the ordinance references the developer's agreement. The Commission has
40 a revised developer's agreement which contains the exhibits. At this point we have a master
41 plan, developer's agreement, and the request is for a PUD for the three properties. There are
42 people present who want to be heard on this matter. He said he presented a synopsis of this
43 proposal.

1 Mr. Schindler said on April 14, 2009, the Planning & Zoning Board voted 4 to 0 to recommend
2 approval of the preliminary PUD, final PUD, and the developer's agreement with the conditions
3 listed in the staff report.

4
5 Mr. Schindler announced that this was a quasi-judicial item and a sign-in sheet was in the rear
6 for anyone who would like to be kept abreast of this.

7
8 Ms. Reischmann said Exhibit E is a right-of-way use agreement. It's a general form that
9 doesn't really apply here but it was sort of a place holder. We are going to negotiate a use so
10 they can build that parking on Wilbur Avenue. She wanted the Commission to understand that
11 they approved the second amendment with that exhibit. It will be modified to fit these
12 circumstances if that is acceptable. There were no objections from the Board.

13
14 Mr. Omana said Phase 3 will be a future project and would have to come in for site plan
15 approval. Here we are dealing with the preliminary PUD and the final PUD. It is setting the
16 regulatory PUD table for future development. He asked Mr. Schindler to introduce into the
17 record the conditions that the Planning & Zoning Board recommended and to elaborate on the
18 concept of the PUD as it relates to the dorm use for the facility, the number of students, and
19 some of the characteristics associated with it.

20
21 Commissioner Duryea said the issues at hand are a PUD, a certain type of use, a certain site
22 plan and whether or not that use is compatible with the surrounding area and the district that
23 we are going to zone it to. We already know what they are going to do.

24
25 Mr. Omana said he respected those comments but wanted to get a more accurate account on
26 the record and for any members of the viewing audience who may not have access to the staff
27 report. He said if that is the desire of the Commission we will do that.

28
29 Mayor Mealor said it is.

30
31 Mr. Schindler said the Planning Board recommended adding the following language to the
32 development agreement under 2.16, Dormitory Site Use:

33
34 Dormitory students will be prohibited from having personal automobiles as a
35 condition of admission to the school. Any requests for waivers of this prohibition
36 must be approved by the owner. All approved vehicles will be provided a decal
37 to identify them as approved vehicles from the school. The approval of
38 automobile waivers for dorm students will not exceed the number of parking
39 spaces available at the school site.

40
41 Mr. Schindler said Lake Mary Prep agrees that any student parking in violation of this
42 agreement will be a code violation against the school and could subject them to review of the
43 PUD. This part will be pending review by the City Attorney.

44
45 Mr. Schindler said Planning & Zoning Board members also recommend:
46

1 That the recreation area not be lit and the hours of operation for the recreation
2 area be 8:00 A.M. to dusk, or 7:30 P.M., whichever is earlier.

3
4 Mr. Schindler said this language has been incorporated into the developer's agreement.

5
6 Mr. Schindler said the dorm is proposed for foreign students. There will be a maximum of 120
7 beds. The intent is that this will be living quarters for the students and their on-site sponsors.
8 There will be no cooking facilities here. All meals will be cooked at the main campus.

9
10 **SIDE 1B**

11
12 Mr. Schindler said there will be a 16-passenger van that will transport the students back and
13 forth. The number of vans will be increased to accommodate the demand. There is a cap in
14 the developer's agreement that says that at any one time there will be no more than 10 parking
15 permits issued. If a student has a permit this year and comes back next year and is No. 11, he
16 will have to wait until one of the previous 10 give up their parking permit. It clearly states there
17 shall be no more than 10 permits issued at any one time.

18
19 Commissioner Duryea said he read that the students were not going to have automobiles.

20
21 Mr. Schindler said as a condition of approval to the school, they must sign a waiver that says
22 the school reserves the right to prohibit them from having an automobile. On a case-by-case
23 basis based on need, they may apply for and may receive a parking sticker. Some of these
24 students attend college classes at UCF or Seminole Community College and without being
25 able to provide their own transportation, someone from the school would have to shuttle them
26 there and either wait for them or come back and get them. On a need basis it is possible that
27 a maximum of 10 students may have an automobile. All vehicles must be parked on the
28 Wilbur Avenue site or on the main campus. That will prevent them from parking on the street
29 and taking up parking spaces that other citizens would need.

30
31 Deputy Mayor Brender said the parking spaces on Wilbur will not be in any form reserved. Mr.
32 Schindler said they will not.

33
34 Deputy Mayor Brender said when we address a need, he wanted to make sure that a student
35 needs a parking space and not just wanted the convenience of having one. He said he was
36 afraid they would get some seniors in who may want to have a car and unless they can show a
37 need to have a car for their educational purpose... He said he didn't want parking permits
38 given because daddy is a prince somewhere or are willing to pay the school enough to have a
39 parking permit.

40
41 Ms. Reischmann said we have a provision that the City is notified of every such waiver. There
42 are only 10 so the school is going to distribute those to the people who need them.

43
44 Commissioner Gray suggested some clarifications to the conditions recommended by the
45 Planning & Zoning Board. Where it says having a personal automobile as a condition of

1 admission to the school and any requests for waivers of this provision must be approved by
2 the owner. She asked what owner.

3
4 Mr. Schindler said it is the owner of the property and that is clarified in the developer's
5 agreement.

6
7 Commissioner Gray said the approval of the automobile waiver for dorm students will not
8 exceed the number of parking spaces available at the school sites.

9
10 Ms. Reischmann said Commissioner Gray is reading from the P&Z conditions which were
11 made more specific in the actual agreement. It says it will be at the dormitory site and main
12 campus but not on the Wilbur Avenue parking.

13
14 Commissioner Duryea asked when Phase 2 kicked in. Mr. Schindler said by the end of the
15 year they will have constructed the parking spaces.

16
17 Commissioner Duryea asked if they were just going to make a dormitory out of this. Mr.
18 Schindler answered affirmatively but there are already parking spaces on the site. The first
19 phase is to convert the existing classroom and administrative offices into dormitories.

20
21 Commissioner Lucarelli announced that she met with Mr. Buchannan.

22
23 Commissioner Lucarelli said she and Mr. Buchannan went back and forth on a lot of these
24 issues because she had concerns about parking. As long as it is clarified thoroughly in the
25 PUD she was comfortable with that.

26
27 Commissioner Lucarelli expressed concern because this is a non-contiguous PUD. She said
28 Meritas is a high class school, they are going to do a good job here and trusts them to be a
29 good neighbor but if they sold this off questioned if that PUD agreement would dissolve so the
30 new property owner would have to reapply.

31
32 Mr. Schindler said it runs with the land. If the property were sold the owner would have to
33 physically come into the City and, with the approval of the owner of the main campus, apply to
34 amend the PUD separating this property from the PUD.

35
36 Commissioner Lucarelli said if somebody came in with a different use there would have to be
37 more parking. She asked how to address that to protect the City in the future. She said she
38 didn't want this to bite us back.

39
40 Ms. Reischmann said that is a huge concern when you approve a non-contiguous parcel to
41 another parcel and say it's all one PUD. Conceivably one parcel could get sold off and with an
42 existing dorm on there her concern was they would put in kitchens and the next thing you know
43 you've got apartments. That's why we say this is for a dormitory and we specifically define
44 what a dormitory means. We recite that this is part of a school on the main campus. While
45 this would run with the land it is a very limited use—it is a dorm. She said she specifically
46 asked that they notify the City. She said Mr. Buchannan has been more than accommodating

1 on every request we have had and he has included that the owner will notify the City should
2 they have a contract for sale of this parcel.

3
4 Commissioner Duryea said they all know how he feels about exfiltration systems. He asked
5 why they don't make that end use for the swimming pool at the top of the exhibit a little bigger
6 and get rid of the exfiltration.

7
8 Mr. Schindler said from an engineering perspective they don't believe there is enough property
9 there to accommodate all of their needs.

10
11 Commissioner Duryea said but there is underground. Mr. Schindler answered affirmatively.
12 They will meet or exceed all relevant engineering requirements.

13
14 Deputy Mayor Brender said the properties to the west are duplexes. He looked at the lay of
15 the land. He asked if that pond needed to be there or could it be moved to the other side. He
16 said he was trying to move the recreation areas farther away from the residential properties.

17
18 Mr. Schindler said the recreation area and the pond are switched so any noise is farther away
19 from the residences. The document that was handed out tonight is what is in the developer's
20 agreement.

21
22 Commissioner Duryea said now we have a pond on top of the exfiltration system. Mr.
23 Schindler answered negatively. The exfiltration system would be on the Wilbur Avenue
24 property. They do show a pond and will be addressed as part of the engineering plan for the
25 site plan.

26
27 Mayor Mealor said one of the things that this presents is we have spent a number of meetings
28 dealing with how we are going to deal with the downtown centre, transit oriented development
29 district or whatever. We are going to have to be creative and this is one of those times that if
30 we are serious we are going to have to do different things.

31
32 Commissioner Gray said there was an existing pond. Mr. Schindler said there is an existing
33 pond just east of the existing building.

34
35 Commissioner Gray said they were going to build over that. Mr. Schindler answered
36 affirmatively.

37
38 Commissioner Gray said they are not going to fence in the recreational area. She said that
39 would look like a public recreation area.

40
41 Mr. Schindler said the playground equipment will be removed and they are looking for
42 someone to give the playground equipment to. It's going to be an area where students can
43 kick a soccer ball around or just congregate off the main campus in a green area with trees.
44 Nothing formal is planned there. More than likely it will be fenced on the north, east and west
45 sides.

1 Commissioner Gray asked how many existing parking spaces they would lose.

2
3 Commissioner Duryea said he liked the idea that the school is willing to put in permanent
4 parking on Wilbur and help to dress that up. He asked if that was in any way used to calculate
5 the on-site parking.

6
7 Mr. Schindler said it was not. It is in addition to the parking on site.

8
9 Commissioner Duryea said he could assume that the parking requirements of these two
10 buildings ultimately will be met on site. Mr. Schindler answered affirmatively.

11
12 Deputy Mayor Brender said the 16-passenger vans are going to be picking up and dropping off
13 exclusively at the rear of the property. They will not be using Wilbur for pickup or drop off.

14
15 Mr. Schindler said he believed the administration of the school heard Deputy Mayor Brender
16 loud and clear.

17
18 Stewart Buchanan of Swan & Hadley, P.A., 1031 West Morse Boulevard, Winter Park,
19 Florida, Attorneys for Meritas, came forward. He thanked the Commission for their attention
20 this evening and for being willing to meet with them. He said he met some of them a year ago
21 when we started talking about this project. This is a different kind of project and there has
22 been a tremendous amount of work put into crafting the final product. When we met with a
23 number of the commissioners a year ago, we heard that this was a very interesting project and
24 is something that could bring a whole different perspective on education to Lake Mary. We
25 have had dozens of meetings and hundreds of phone calls with staff working on the details.
26 We have also worked extensively with the neighbors around both schools. He said he thought
27 they had gotten their arms around all of those details.

28
29 Mr. Buchanan said the existing building would be renovated and there will be 28 beds right
30 away. That would be Phase 1. There will be two adults (Dorm Supervisors) living in there full
31 time.

32
33 Mr. Buchanan said Phase 2 is the 10 parking spots and we will build those by the end of the
34 year. We don't have specific criteria but we are going to build the exact same parking spaces
35 that you see out here by city hall. Whatever you thought was good out here is what we're
36 going to build for you with planters.

37
38 Mr. Buchanan said Phase 3 could open no earlier than the beginning of the school year in
39 2010. That doesn't mean that it is going to open by the beginning of the school year in 2010.
40 That's just an option of ours and that will depend on the demand for foreign students to come
41 to this facility. Phase 3 would bring it up to a total of 120 beds. There will be anywhere from
42 four to seven adults living there full time. Although we haven't put it into an agreement, it is our
43 thought that if we did Phase 3 it's likely we would have to hire some type of nighttime security
44 guard.

1 Mr. Buchannan said that is a good opportunity to go into issues Meritas has to deal with on
2 these students. It is important to remember that the parents overseas are going to be
3 entrusting their children to Meritas to bring them here and educate them but also to keep them
4 safe. That is an important thing to focus on. A lot these kids are from Asia and a lot are
5 Chinese. In China you can only have one child. There is a lot of pressure put on these
6 children but the parents want to keep them safe. There will not be unmonitored comings and
7 goings. The kids aren't allowed to leave and go to the mall to hang out. You cannot leave the
8 school unless they know where you going. You have a school issued cell phone. You can only
9 be off property when you are with somebody to supervise you and they know who that is and
10 where you are going. If for some reason they check on you and can't get you, you are
11 expelled. There is no refund and tuition is not cheap. Mr. Buchannan said while we
12 understand the City is holding us to a high standard, it would give the City some comfort to
13 know that the parents are holding us to a higher standard than the City would as far as
14 monitoring these children.

15
16 Mr. Buchannan said regarding the issue of parking, there are currently 25 parking spaces on
17 the site and one is a handicapped parking. There are a number of parking spaces where you
18 see the proposed retention pond or exfiltration system. He estimated a loss of 10 to 12
19 parking spaces if they do Phase 3. That's good news for the City because they don't want
20 their kids to have cars but they need some wiggle room for exceptions that come along. Some
21 of these kids are so smart they will be going to UCF almost immediately taking engineering
22 classes. They have children in other dorm projects and they are adding dorms to every school
23 they own because there is this huge demand to bring kids to America and get them into top
24 flight American schools.

25
26 Mr. Buchannan said the first people who are going to be housed are the dorm supervisors.
27 There will be mini buses to move the kids back and forth. There are going to be comings and
28 goings of school administrators and things like that. There is not going to be much room to
29 give permits to these kids and there is a limit of 10 and will only be for exceptional
30 circumstances. He said he was sure there were attorneys at Meritas that cringe when you say
31 we are going to approve a kid for a waiver so they can have a car. That is not something they
32 want but if there is a child who needs to get to an academic setting off campus, we think they
33 should have the right to do that under the right circumstances. If there is a child who needs to
34 go get regular medical care such as allergies or something like that, we think that is
35 reasonable. We don't think school employees should have to go with them one on one and
36 babysit them while they go get an allergy shot. You can't just wrap your arms around every
37 single contingency. We looked to narrow what can be done on this site to specifically limit us
38 to what we need to operate our program but absolutely nothing more.

39
40 Mr. Buchannan said Commissioner Duryea asked if we had worked out things with the
41 neighbors behind us. We've had many conversations with Mr. Pope who is a prominent land
42 use attorney and we have worked out an agreement with him that will be in the public record.
43 He said he thought Mr. Pope was pleased with the project and felt his tenants would be
44 protected and that we would not be negatively impacting his property.

45

1 Mr. Buchannan said we had a community meeting at the Junior Academy and were about half
2 dozen people there. There was an elderly couple on the north side of Lake Mary Avenue and
3 one elderly lady on that side as well. They asked us what we were going to do on the property
4 that fronts Lake Mary Avenue and we said we are going to do nothing other than build Mr.
5 Pope a 5-foot berm with a vegetative layer on top. We are not taking any of the trees out. It is
6 dirt right now and it not very attractive so we will probably sod it so it is green. They were very
7 happy and left. The other people there seemed to be neutral at the end of the meeting. There
8 was one couple who said “who could be against this project”? He said his distinct sense is you
9 have this great downtown development district with an urban setting, mixed use, three stories
10 and fairly intense, and the people who live there want to see something happen. They don't
11 want to see four or five houses built on this site. They want to see that urban use that's been
12 promised.

13
14 Mr. Buchannan said in response to Commissioner Duryea, in the notes you will see we have
15 left ourselves the exfiltration system, the retention pond and we are also open to the idea of
16 tapping into the master stormwater system that the City has recently put in. We could even
17 run down the alley and maybe start a retention pond on the stair step park. We have left those
18 options open.

19
20 Commissioner Duryea said he was not against this project and liked it. We only get one shot
21 to try to cover the areas that perhaps your engineers haven't thought about or you look at
22 things in a “needs” way. We have to look at how this is going to affect other properties and
23 people and the people who might use the property. He said he was for the project but wanted
24 to make sure it works and it works for everyone.

25
26 Mr. Buchannan said he didn't mean to imply that he thought anything different and thought the
27 Commission's job is to look after the community. When we first started working on this, one of
28 the ideas we came up with with staff was how do we ensure what is going to happen to this
29 assuming a post-Meritas scenario. That's even more reason to join this property with the
30 existing PUD on the main campus because those two are now wedded together. You cannot
31 operate this property under the developer's agreement we are asking for unless it is operated
32 in conjunction with Lake Mary Prep. It would be a big deal to do a PUD amendment some day
33 and strip this property away from the main campus. He said he thought that was a good idea
34 to give the Commission comfort long term.

35
36 Commissioner Gray announced that she had talked to Mr. Buchannan earlier in the week.

37
38 Commissioner Gray said she expressed her concerns to Mr. Buchannan and we are going to
39 lose 10 to 12 parking spaces when we go to Phase 3 and are going to put 10 across the street
40 on Wilbur. If we lose 10 to 12 of those 25 then we have 15 and are back to 25 if we add 10
41 across the street.

42
43 Mayor Meador said that was a separate issue. He said he thought the City has some
44 safeguards with the limiting of the number of permits that can ever be issued. Phase 2 is a
45 community amenity more than anything else. Even if Phase 3 comes on line they are limited

1 and are greater safeguards for us because the number of permits cannot exceed a set
2 number. He asked if that was correct.

3
4 Mr. Buchannan answered affirmatively.

5
6 Commissioner Gray said we would have more students and more supervisors living there.
7 She said she raised four sons and when they get into high school they are going to want to
8 drive and they will find a way to get a car. She said Mr. Pope had stated at the P&Z meeting
9 that when he was a freshman in college he wasn't supposed to have a car but he had one.
10 She said she was not against the school and thought it was a great idea, but we are trying to
11 mitigate things that may happen and if we are going to have more cars, where are they going
12 to be.

13
14 Commissioner Gray asked if all the students will be international students or would some be
15 from other parts of the United States.

16
17 Mr. Buchannan said he would defer that question to Mr. Spruce.

18
19 Mr. Buchannan said on the parking issue, less parking is better for you guys on the number of
20 spots because your major concern on parking is student parking. If those spots are taken up
21 by staff, we can't park off site. We have to put a decal on the cars as part of the agreement we
22 worked out with the City Attorney. The only place you can park if you have a decal is either on
23 this site or the main campus if you are a student. Fewer parking spaces are good for the City
24 from the standpoint that it's really going to put pressure on the school to give out hardly any
25 waivers for students to have cars. There will be enough parking there for staff. We are a block
26 away from the police department so there is going to be plenty of enforcement opportunity if
27 we are parking all over the neighborhood. We don't intend to give hardly any waivers.
28 Students are not supposed to have cars.

29
30 Commissioner Duryea said there was language that says there is an area on the campus that
31 has been approved as a recreational area. He asked why that was incorporated in this
32 particular document.

33
34 Mr. Buchannan said City staff said if there was ever anything we were thinking about doing on
35 the main campus we should put it in this so we don't have to bother you again. The only thing
36 we could theoretically come up with is the existing engineering plans for the school show in the
37 exact same area we are talking about a very elaborate Olympic size swimming pool with a
38 major dive component. The school plans to build a pool at some point in that envelope but is
39 not sure they want to do the diving component. What would go into that envelope would be a
40 pool or some sort of administrative or classroom building. We specifically called out that it
41 cannot be any higher than any of the buildings that currently exist there. This is the only thing
42 we could think of that we would ever be doing on the main campus because the main campus
43 is built out except for this pool area.

44
45 Mayor Mealor said he had the honor of speaking to your international student government
46 leaders from the Meritas Family of Schools, and it was such an impressive group. One thing

1 the community needs to be aware of is at Lake Mary Prep, you have your first national merit
2 scholar. That speaks volumes not just for the work of that student and her family, but speaks
3 volumes about the faculty and the commitment to the students. That is a very impressive
4 accomplishment. He commended Meritas and Lake Mary Prep for that distinguished
5 announcement.

6
7 Bill Spruce, Senior Vice President of Meritas, came forward. He said he started with the North
8 Broward School in Broward County about 14 years ago and had been around education for
9 that period of time. His two children attend North Broward School in Coconut Creek. He said
10 he had been a teacher, a coach, has built schools and has grown up with the Meritas program
11 since the beginning. This started as one school in Broward County in 1957. We opened the
12 first high school there in 1997. The school has seen enormous success over the last dozen
13 years or so.

14
15 Mr. Spruce said we were approached by some friends who were involved in many different
16 educational ventures who thought putting together a family of schools, growing that into
17 something internationally and globally, and adding an international component to the schools
18 in the U.S. was a worthwhile goal and venture. We now have 11 schools on 19 campuses in
19 four different countries. The 11th one is going to open in August in Chengdu, China and is
20 going to serve U.S. and other international families who are expatriates living in China. We
21 have about 12,000 students across all. We are predominantly in the United States but have
22 two campuses in Monterey, Mexico and have about 2,000 students on two different campuses.
23 We have a large international school in Geneva, Switzerland. We are from Florida all the way
24 to California.

25
26 Mr. Spruce said the main focus of the school is high-end academics and over the last few
27 years we have made a push to make these more international schools as opposed to just local
28 community schools. The local community will always dominate the schools. The boarding
29 program is predominantly a high school program and no more than 20% to 25% would ever be
30 boarding and/or international students. We think that mix creates a better learning experience
31 for not only the international kids but also for the local kids who attend the schools as day
32 students.

33
34 Mr. Spruce said we have seen enormous success at Broward County. We started the
35 boarding program there a couple of years ago. We have 75 students there this year from all
36 over the world. We expect to have up to 150 in September. One of the ways we did that was
37 by doing something very similar. We had a small elementary school satellite campus in
38 Broward County that was grades pre-K through 5th grade. We combined our two elementary
39 schools on our large main campus. We have gotten city commission approval in Coral
40 Springs, Florida, and that 8-acre campus is being converted into a very large residential village
41 for the school and it has been very well received by the city so far.

42
43 Mr. Spruce said in Switzerland, we have about 250 boarding students from 88 countries. That
44 school has been around for about 40 years.

1 Mr. Spruce said this is something we are rolling out all over the place and we see a lot of
2 benefit to it. We knew the existing Junior Academy program was something that did not fit the
3 Meritas vision. It was not a strong academically based pre-school program and was closer to
4 being a daycare program, so we took the population that was there and those who wanted to
5 we incorporated them into the school on the main campus. The idea was that we would free
6 this building up and if we had the opportunity to develop this boarding program that this would
7 be a nice site for that. We have put in the developer's agreement that through Phase 3 we
8 have space for up to 120. He said he didn't know that they would ever get that big but that
9 would be the maximum. Given that the high school was capped in the PUD at 400, that is as
10 large as he would ever want the boarding program and didn't see them attempting to do any
11 other facilities anywhere else in the area.

12
13 Mayor Mealor asked if anyone wanted to speak in reference to this PUD request.

14
15 Stephanie Baker, 823 Blairmont Lane, came forward. She said she was a board member of
16 The Reserve at Lake Mary. On behalf of the board we acknowledge that this project is not
17 related to capacity and are very clear about that. The fact of the matter is the school is not at
18 capacity now and over the last several years we have had significant traffic issues related to
19 the school and to our neighborhood.

20
21 Ms. Baker said Meritas is the new owner and we have had the opportunity to speak with them
22 about some of these issues. It is very apparent that Meritas has put a great deal of effort into
23 making everybody comfortable with this project. She said Commissioner Lucarelli mentioned
24 that she has faith that they are going to be good neighbors. She said she would like to talk
25 about what type of neighbors they have been, even since the transition to Meritas. We had a
26 meeting with the school over a year ago when they transitioned to Meritas. There was no
27 subsequent follow up from the school regarding our discussion. To date there have been no
28 measures on part of the school to address traffic calming in our neighborhood. While they are
29 saying it much more politely than the previous owners, they are still saying basically the same
30 thing to our community which is "no resolution to your traffic problem, sorry". They have to
31 address the concerns of the parents and we understand that.

32
33 Ms. Baker said The Reserve at Lake Mary is opposed to this project. It is a great idea but
34 makes the school more attractive. More students are going to want to come to this school
35 since they are offering an international program. We have 200 more spaces that can be
36 occupied at the school, and to our community that means potentially 200 more kids or parents
37 coming through.

38
39 **SIDE 2A**

40
41 Ms. Baker said they are adding a swimming pool so now you have schools traveling to the
42 area for swim meets and things like that. She asked the Commission to ask Meritas what kind
43 of neighbor they have been so far to The Reserve at Lake Mary and see if we can use this
44 opportunity to encourage them to participate in some traffic calming.

1 Nick Pope, Attorney with Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola Drive,
2 Orlando, Florida, came forward. He said he was present on behalf of his father, Albert Pope,
3 who is the owner of the three duplex properties located immediately adjacent to and to the
4 north of the dormitory portion of the proposed PUD.

5
6 Mr. Pope said when we learned of this proposal we had a number of concerns about the
7 compatibility of this proposal in relation to the residential uses that are currently enjoyed on our
8 property. He said perhaps the Commission listened to the tape of the Planning Commission
9 meeting last week and heard me express those concerns. In advance of and subsequent to
10 that meeting, he had very productive conversations with the representatives of the applicant,
11 with Mr. Spruce, Mr. Buchannan and others. He said his view is they will be good neighbors.
12 Everything that they indicated they were prepared to do in order to buffer and protect our
13 property from the impacts of their proposed use, not only have they agreed to do but they have
14 put it in writing and in restrictions that will bind their property--private restrictions over and
15 above your developer's agreement. He said that gave him a good deal of comfort. To the
16 extent that they really didn't intend to do those things tells him they intend to do what they have
17 promised. He suggested they would be good neighbors not only to them but to the City.

18
19 Mr. Pope said he was unfamiliar with the problems that the previous speaker spoke of but it
20 was his guess they would be willing to resolve those concerns. Some of the things they have
21 agreed to do are reflected on the site plan. They are going to put a 6-foot high concrete stucco
22 wall behind Lots 13 and 14 and the reason it is there is that's where things are changing. They
23 are going to put a 5-foot high earthen berm with landscaping on top of it immediately adjacent
24 to our eastern property line that will die into the wall. They have agreed to keep the recreation
25 area passive and to keep it in its natural state. They have agreed to restrict the hours of
26 operation which is set forth in the developer's agreement. He said Mr. Spruce mentioned at
27 the meeting that lights out at the dormitories would be at 11 and they have agreed to usher the
28 students to ensure that they are inside and doing things that are consistent with studying after
29 11 each day. Their agreement to build the wall and the berm is that they will do that prior to
30 either use of the recreation area or to construction on Phase 3.

31
32 Mr. Pope said all those things give us comfort that they intend to be good neighbors and they
33 will buffer us from any adverse impacts. We are supportive of the project and appreciate the
34 Commission's interest in it.

35
36 Mr. Pope said with respect to the alley, he discussed with Mr. Buchannan the possibility of
37 vacating the alley and indicated we would have no objection, and to the extent that the law
38 would provide that we would inherit title to the north half of that alley because of our ownership
39 of the lots on that side and that we would grant an easement for the alley if that were
40 necessary. As it is proposed it is a public right-of-way and as long as they have a right-of-way
41 utilization permit and using it in accordance with the site plan is fine.

42
43 Mr. Pope said one thing we have requested that he believed they were intending to do is to
44 take the right angle out of the turn in the driveway where it turns to the north and make it a
45 more gentle curve so it dies into the east/west portion without the lights splashing onto our

1 property. That will be a site plan issue and they have agreed that they will propose that to the
2 Commission and should you agree to do it then that's the way they will do it.

3
4 Mr. Pope said he would be glad to answer any questions and appreciated the Commission's
5 attention to all the issues related to this.

6
7 Jake Goldberger, 129 East Lake Mary Avenue, came forward. He said he lived in one of the
8 existing duplexes behind the existing building. He said he had a concern about the wall not
9 going all the way across the property line of the school. There is a privacy issue. From the
10 parking of the school our property line is maybe 20 feet away from there and there will be no
11 privacy for us if we are sitting out back, have company or family over, or have kids out playing
12 and so forth. There is also no physical barrier to stop any of those students from crossing onto
13 our property.

14
15 Mayor Mealor asked Mr. Goldberger which lot number he was speaking to. Mr. Goldberger
16 said he believed on Lot No. 9 but could be No. 8.

17
18 Mr. Goldberger said he was concerned about the noise level and his quality of life being
19 affected by not having the protection of a wall and the noise level that is going to be increased
20 by numerous mini vans going through at various times of the day and in the evening.

21
22 Estrallita Bloss, 3137 Hassi Pointe, Longwood, Florida, came forward. She said she is a
23 parent and had two children attending Lake Mary Prep. We moved to the United States seven
24 years ago from Australia and started school at Lake Mary Prep and have been extremely
25 happy with Lake Mary Prep. The addition with Meritas has only expanded her happiness for
26 the school.

27
28 Ms. Bloss said she has had the experience of traveling to some of the Meritas Schools. She
29 had the opportunity to travel to Mexico to our other school as a parent volunteer on one of our
30 sports teams. She was impressed with the school. She has traveled to Switzerland and has
31 met with the principals of that school. Once again it was an education trip that she and her
32 husband had given to their children. She said her family can benefit from this but she was one
33 of the lucky ones and she knows that. She said she knows the benefits we have given to other
34 children coming to Lake Mary Prep are going to be a wonderful experience for them. She said
35 she was glad the Commission was up here and was going to be strict with their guidance of
36 what we need to put into place.

37
38 Ms. Bloss said she would like to address the point that a previous speaker made about the
39 traffic that comes through The Reserve. She said she was one of those people who drive
40 through that traffic lane. They have provided school buses. We have never had buses to go
41 out and pick up students and we now send those buses out. We are trying to utilize that as a
42 way of transportation to bring students in. We have staggered our times of pickup in the
43 afternoons and the mornings so students come at different times to try and alleviate that
44 impact time. She said she knew that for a fact because we have students in middle and high
45 school that start at different times to elementary and it has affected some of the parents
46 because of the driving times. That has been put into place. We are talking about buses going

1 to Lake Mary Prep. Doesn't that actually alleviate traffic as well with one vehicle every half
2 hour to an hour as opposed to having 20 cars?
3

4 Mayor Mealor thanked Ms. Bloss for her involvement. The fact that she was willing to be a
5 parent volunteer to escort students to a different country in and of itself is a remarkable
6 learning opportunity.
7

8 Jan Jernigan, 501 Mourning Dove Circle, came forward. She thanked the Commission for the
9 opportunity to voice her support for the school. She said Mr. Spruce and Mr. Buchanan have
10 given the Commission the information about the school and they also got a packet that
11 explains the history of the school and the good job they do. She said she would speak as a
12 grandparent who has been there since the day it opened. They really do a wonderful job and
13 they are sincere in what they say. They have been a good neighbor so far and have worked
14 with the neighbors to try to fit into the neighborhood and to do a good job.
15

16 Ms. Jernigan said as far as discussions about the parking, we respect and admire the
17 Commission's attention and sincerity to these details because that's what has made Lake Mary
18 be No. 4 in the nation to live in. Meritas will be a good neighbor and they want to be a part of
19 this community. It's an excellent company and it adds a new dimension to our city that none of
20 us considered when we talked about our downtown development. She said she didn't
21 consider a dormitory but when they came with that it was like, "why not"? This is the place to
22 live, work, play and learn in the same environment. It's going to be a good fit for everybody.
23 It's a good thing for Meritas and she believed it would be an excellent thing for Lake Mary.
24

25 Mayor Mealor said he admired Ms. Baker's work on the homeowners' association. He said
26 when he was a candidate he pledged to a former board member in her community that we
27 would work on this. He said to please keep in mind that with the Bert Harris Private Property
28 Rights Act coupled with Florida legislation, there are certain things that we must take into
29 consideration. He said while he valued that input, it cannot impact the decision this body will
30 make. In this case there are separate issues but it is very important to the integrity of the
31 community and it will not be overlooked.
32

33 Stephanie Baker, 823 Blairmont Lane, came forward. She said when they talk about being a
34 good neighbor she wanted to emphasize what their relationship has been with Meritas to date.
35 We talk about their efforts to enhance the community and work with the community and we
36 met with Meritas over a year ago to discuss traffic calming measures between the school and
37 the neighborhood. To date the only follow-up contact she has had has been with Mr.
38 Buchanan this week and she spoke with Mr. Lombardi a few weeks ago. There has been
39 great dialogue between Meritas and our school and we talked about a lot of great ideas, but
40 the bottom line to all those ideas is that right now there's nothing they are going to do to
41 address our traffic issues. She said she was sure they had the intention of being a good
42 neighbor and have made some efforts, but absolutely no progress towards any kind of traffic
43 calming to date.
44

45 No one else came forward and the public hearing was closed.
46

1 Mayor Mealor announced that beginning as early as October he met with the applicant's
2 representatives related to this project and has had a series of phone calls and meetings with
3 them. He said he had also walked the property; however, the decision he makes this evening
4 is going to be based on the information that has been presented.
5

6 Deputy Mayor Brender said he didn't have any serious objections. He thanked the Popes for
7 being cooperative in this and working out a myriad of details. This does bring an international
8 flavor to our downtown district. He said his initial impression was what we were going to do
9 with 120 kids; however, it is no worse than having a hotel in the downtown district. He was
10 sure they would be holding onto their kids a lot better than a hotel would. He said he was
11 comfortable going ahead with it.
12

13 Commissioner Gray said we had two people who were actually neighbors. She had nothing
14 against the concept of it, but you need to talk to your neighbors. She appreciated the parents
15 and grandparents coming forward and waving the banner high for this school because it
16 seems like a great school. She said she would like to see them address the neighbors: the
17 one concerned about the vans coming in and out from the dorm and the one with the traffic
18 going through The Reserve. There will be more students and more parents coming in and
19 dropping off. She said a couple of days ago she went up to Lake Mary Prep and drove back in
20 there and there was a lot of activity going back and forth. There are the traffic calming bumps
21 on the grounds but you need to do something to help the folks in Lake Mary Reserve and
22 being a good neighbor to your neighbors.
23

24 Mayor Mealor said Mr. Goldberger had a good point and those types of things will be
25 addressed at site plan.
26

27 Commissioner Lucarelli said she had not objections and thought it would be a great asset to
28 the City. She said there had been discussion with the Popes about the privacy beyond the
29 wall. She said she asked them why not take the wall all the way down but it was her
30 understanding it was heavily treed through there so to tear it down to put a wall up would do
31 more damage. She said she didn't know if there was shrubbery or something that could be
32 added to that to alleviate some of his concerns without degrading the natural vegetation that is
33 already there.
34

35 Commissioner Lucarelli said she empathized with The Reserve's issue. That's a tough
36 situation and there is no magic wand answer for it. There should have been better planning
37 when that whole area was developed. There is no easy answer for that. They are trying to
38 think and come up with ideas and she would like to be a part of that. There's no easy answer
39 to that problem.
40

41 Commissioner Duryea said the concept is great. There hasn't really been any engineering
42 done so we are still talking about possibilities. He said he thought it was compatible.
43

44 Commissioner Duryea said they are talking about a wall. He said if he wasn't mistaken the
45 downtown district doesn't require walls.
46

1 Mr. Schindler said that was correct. The wall they are proposing is voluntary.

2
3 Commissioner Duryea said he didn't think anybody in the room was alive at that time these lots
4 were platted. You have to work with what you've got.

5
6 Mayor Mealor thanked everyone for their patience. This is one of the more important issues
7 that the Commission has addressed.

8
9 **Motion was made by Commissioner Gray to approve the Preliminary PUD for Lake Mary**
10 **Preparatory School, seconded by Commissioner Lucarelli.**

11
12 Deputy Mayor Brender announced he had discussions with Mr. Buchannan and his decision
13 would be based on the presentation this evening.

14
15 **Motion carried by roll-call vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender,**
16 **Yes; Commissioner Duryea, Yes; Commissioner Gray, Yes; Mayor Mealor.**

17
18 B. Ordinance No. 1321 – Final PUD for lake Mary Preparatory School, 650 Rantoul
19 Lane, 140 E. Wilbur Avenue, and 143 E. Lake Mary Avenue; Lake Mary Real Estate,
20 LLC/Larry Lombardi, applicant (Public Hearing) (quasi-judicial)

21
22 Ordinance No. 1321 was read by title only on first reading and presented/discussed under Item
23 8-A.

24
25 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1321 on first**
26 **reading, seconded by Deputy Mayor Brender and motion carried by roll-call vote:**
27 **Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner Gray, Yes;**
28 **Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

29
30 Mayor Mealor said there were a number of issues raised that this Commission and staff will
31 address beyond the actual item under consideration. He thanked those who took time to give
32 input.

33
34 C. Ordinance No. 1320 – Annex International Parkway lying between AAA Drive and
35 Lake Mary Boulevard – First Reading (Public Hearing)

36
37 The City Attorney read Ordinance No. 1320 by title only on first reading.

38
39 Mr. Noto emphasized this is for annexation of the roadway only. At the April 16, 2009, meeting
40 the Commission accepted the Quit Claim Deed from Colonial which transferred ownership of
41 the roadway from Colonial to the City in order to move forward with the stimulus package funds
42 so we could receive monies to resurface the roadway.

43
44 Mr. Noto said this is Part 2 and is the actual annexation of the roadway. This is all part of the
45 pre-annexation agreement that was agreed to in 2006 when the City annexed the 46 acres to
46 the west of the Walgreen's at the corner of 46A and International Parkway. As part of the pre-

1 annexation agreement the City was to annex International Parkway from 46A to Lake Mary
2 Boulevard in two phases. This is the second phase from AAA Drive to West Lake Mary
3 Boulevard. Colonial provided an annexation application and we have followed the Florida
4 State Statutes as far as advertising and notification. Staff recommends approval.

5
6 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1320.

7
8 Dori DeBoard, Director of Planning & Development with Seminole County, 1101 East First
9 Street, Sanford, Florida, came forward. She said she was not present to raise any objection or
10 to offer any comment at this time other than to let the City know that the County is still looking
11 at this issue. If we have any concerns we would like the option to take it up with City staff and
12 discuss any outstanding issues that we feel still may apply to the annexation of this roadway.
13 We will do that before second reading but wanted to put the City on notice that the County is
14 still looking at this issue.

15
16 Eric Castleson with the law firm of Shutts & Bowen came forward representing Colonial
17 Properties. He said he was here to confirm that there is a recreational trail that runs along a
18 portion of International Parkway and that is not included in the annexation and was not
19 included in the Quit Claim Deed. He said their surveyor, Boyer-Singleton, has confirmed that
20 as well.

21
22 No one else came forward and the public hearing was closed.

23
24 Deputy Mayor Brender asked Chief Bracknell if he had any questions or comments about
25 adding this to the patrol areas.

26
27 Chief Bracknell said not at this juncture. We will have a few more traffic accidents. If
28 annexations are anticipated down the road, we have done a study of the volume of calls that
29 the County has experienced with the surrounding properties and that will be addressed later.

30
31 **Motion was made by Commissioner Duryea to approve Ordinance No. 1320 on first**
32 **reading, seconded by Deputy Mayor Brender and motion carried by roll-call vote:**
33 **Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner Lucarelli, Yes;**
34 **Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

35
36 D. Request for two variances related to §160.07(A) and §160.07(B)(2)(b), City Code of
37 Ordinances, for the single-family residential property located at 228 W. Crystal Lake
38 Avenue; Sandra and Hatch Dickey, applicants (Public Hearing) (quasi-judicial)

39
40 Mr. Noto said this is a classic 160 variance. He showed the subject property on the overhead.
41 The property is located north of Crystal Lake Avenue and west of Fifth Street. There is
42 currently a single-family home on the property. The house currently on the property is 750
43 square feet and does encroach into the 75-foot environmental buffer by about 5 or 10 feet.

44
45 Mr. Noto said in 1991 the City approved Chapter 160 of the Code of Ordinances which
46 established the two environmentally sensitive areas of the Crystal Lake Basin and Soldiers

1 Creek. There are certain setbacks required due to Chapter 160. From the 100-year flood line
2 there is a 25-foot environmental setback and a 75-foot setback from that. The 750 square foot
3 home currently on the property was built in 1949 as part of the Crystal Lake subdivision which
4 was platted in 1920.

5
6 Mr. Noto showed the development proposal on the overhead. The purple is the 25-foot
7 environmental buffer, the yellow is the 75-foot setback, and the orange is the 25-foot front
8 setback and 8-foot side yard setback. The white area could be described as the buildable area
9 which is approximately 1,600 square feet. Building in that area would require some interesting
10 architectural design.

11
12 Mr. Noto said the request is for a variance to 160.07(A) to reduce the environmental buffer
13 from 25 feet to 15 feet and a variance to 160.07(B) to reduce the single-family residential
14 setback from 75 feet to 0 feet. The pool encroaches into the environmental buffer and there is
15 also a dock area set aside in the top portion. That is something they may want in the future
16 but we included it now so we wouldn't have to come back.

17
18 Mr. Noto said P&Z reviewed this item on April 14, 2009, and voted 3 to 1 to recommend
19 approval.

20
21 Mr. Noto said there have been 14 other cases similar to this in the past. Eight of those were
22 similar in nature where there was an existing house and the applicant proposed to tear it down
23 or do an addition that would go into the setback.

24
25 Mr. Noto said staff finds the requests meet all findings of fact and recommends approval.

26
27 Commissioner Lucarelli said she confirmed with Mr. Schindler that they would be demolishing
28 the current house. She asked if she was correct to assume that would be the location of the
29 septic system being that it's the farthest away.

30
31 Mr. Noto said the septic would not be placed there but would have to be in front of the house
32 and would be more to the west. That is something that would be done through the Seminole
33 County Health Department.

34
35 Commissioner Duryea asked if he was correct that there was only about a 2-foot fall from the
36 road to the 25-foot setback and is fairly flat. Mr. Noto answered affirmatively.

37
38 Commissioner Duryea asked if they had approved a residence and an encroachment as deep
39 as 25 feet into the conservation setback.

40
41 Mr. Noto answered affirmatively. He said he didn't have numbers of how far they have gone in
42 but we have done approvals where they have gone into the 25 feet.

43
44 Commissioner Duryea asked if this was something St. Johns would have to approve since it
45 goes into the conservation area.

1 Mr. Omana said we have not had prior St. Johns approval but we have taken actions similar to
2 St. Johns with respect to requiring environmental berms and swale areas in the back to not
3 only act as an energy dissipater for any runoff but as a purifier for the runoff. We are taking it
4 upon ourselves to invoke protective measures for the area in the back.

5
6 Commissioner Duryea asked if we had to get some sort of hold harmless agreement from the
7 homeowner in case we get a lot of rain and the water engulfs their pool area.

8
9 Mr. Omana said in one of the prior variances that issue came up and the Commission did
10 invoke that on a prior owner. That was a 100-year flood issue. In this case we don't see that
11 as being a way to go since there is no 100-year floodplain issue.

12
13 Deputy Mayor Brender said it seemed the other exclusions that we have given were people
14 adding onto houses but not tearing down and starting anew. He asked if that was a fair
15 statement.

16
17 Mr. Omana said that question came up at P&Z. When Mr. Noto referred to P&Z that there
18 were numerous variances, one of the board members asked why so many and questioned if
19 we were giving away the farm by doing this. The response was twofold. Under the existing
20 zoning with respect to properties, we want to allow the highest and best permitted use under
21 those districts. We don't want to get into a Bert Harris issue.

22
23 Mr. Omana said secondly, the litmus test the City has used in reviewing these matters has
24 been the density litmus test. He used the Oaks at Timacuan as an example where 7-1/2 years
25 ago we came before the Commission and recommended denial of a 160 variance because of
26 the fact that they were taking a number of lots of record, consolidating those and increasing
27 the density above the one unit that they would be permitted under the underlying zoning. If
28 this applicant were to come back and say they wanted to put three houses on this property, the
29 recommendation would be for denial. We want the applicant to be able to provide one single
30 family unit in accordance with the underlying zoning. If the density and intensity is staying the
31 same under those respective regulations then that is the litmus test. Anything above the
32 density is a "thumbs down".

33
34 Deputy Mayor Brender asked how close they were to the downtown sewer. Mr. Omana
35 estimated roughly 250 feet.

36
37 Commissioner Duryea said we can't force them to hook up (to sewer).

38
39 Deputy Mayor Brender said we couldn't force them but it's fair to let the applicant know there is
40 a sewer line within 250 feet of the property if they would like to hook up rather than putting in
41 what may be a very expensive septic system. He said he didn't know what kind of discussions
42 the City could get into with that but it is something to think about.

43
44 Mr. Omana said staff would make them aware of that issue at the time of permitting.
45

1 Deputy Mayor Brender said it is not a requirement but we have been talking for years about
2 trying to make sure septic systems stay off of lakes. We have to start somewhere.

3
4 Commissioner Gray said Mr. Miller during the Planning & Zoning meeting mentioned having a
5 list of these things because we keep making variances.

6
7 Mr. Noto said staff completed that this week so we have it for now and for in the future.

8
9 Ms. Reischmann said this is an awkward situation. When you are talking about a variance,
10 typically you already have a non-conforming structure and you don't want to expand that,
11 especially by tearing down the existing non-conforming structure and putting in a humongous
12 non-conforming structure. You are talking about a lot of record since 1920 and the fact that
13 this is single-family zoning and there is no maximum on the size of the house in the zoning
14 district, so it's something that needs to be addressed by a special variance procedure within
15 Chapter 160 rather than the insipient policy where this is what the Commission generally does
16 with these things. We need to have something set out that has standards within 160 so we are
17 not grasping at straws all the time as to what makes sense. When you are talking about a
18 1920 lot of record there are certain vested rights that go along with that so to tell people they
19 can't expand the structure would put us at liability.

20
21 Mr. Noto said they would look into that.

22
23 Mayor Mealor asked if anyone wanted to speak for or against this matter.

24
25 **SIDE 2B**

26
27 Mike Pelzer, 321 Bush Hill Court, came forward. He said he was a long-time builder and
28 resident of the area and was working with Hatch and Sandy Dickey on the planning and
29 construction of this new home. He said he didn't think there would be a flooding issue but
30 would be open to putting some type of language in there if the Commission had a problem with
31 the flooding issue.

32
33 Mayor Mealor said that is a very generous offer and in fairness to the City that would be
34 helpful.

35
36 Mr. Pelzer said the existing home that was built in the 1940's is 750 square feet and it cannot
37 meet the setback criteria. Basically it is a lot that is unbuildable. There are three lots that are
38 combined into two parcels. We are proposing one residence on this property and not
39 subdividing it into two. The existing home to the right of this property encroaches quite a bit
40 into the 75-foot setback. Unfortunately the lot to the left is not noted on the survey but he is
41 also considerably back. He said he was not sure if he was in the environmental buffer but was
42 very close if he is not already.

43
44 Mr. Pelzer said understanding these points and conditions he asked the Commission to
45 approve these two variances.

1 Carolyn Michaels, 210 Crystal Lake Avenue, came forward. She said it looked like a beautiful
2 house but wondered how high that water comes because she had seen it very high and didn't
3 think a person would want to build a house where he is going to be flooded. Crystal Lake
4 Avenue is a very narrow, one lane road; two cars can't pass on it. She wondered about all the
5 large trucks that would be coming down Crystal Lake Avenue to deliver materials. People
6 can't pass and people are constantly turning around in her driveway. These large trucks are
7 going to be coming down there and asked if there was anything the City could do to help her
8 out where they are not going to be turning around on her property.

9
10 Mayor Mealor asked Mr. Noto to make a note that when the site plan comes forward we will
11 work with Ms. Michaels.

12
13 Ms. Michaels said even now the garbage truck has to back down Crystal Avenue.

14
15 Mayor Mealor said Ms. Michaels has a beautiful area and she enjoys a great deal of privacy.
16 The last thing we want to do is intrude on that with any decision we make.

17
18 Ms. Michaels said she would hate for them to build that big beautiful house and then have it
19 flood.

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

22
23 **Motion was made by Commissioner Gray to approve the two variances, seconded by**
24 **Commissioner Duryea.**

25
26 Commissioner Gray said she moved to approve with the condition that we put some kind of
27 mitigation in there so the City is held harmless if there is any flooding.

28
29 Mayor Mealor said the applicant's representative offered that and is important to include.

30
31 **Amended motion was made by Commissioner Gray to approve the two variances with**
32 **the condition that the City is held harmless if there is any flooding, seconded by**
33 **Commissioner Duryea and motion carried by roll-call vote: Commissioner Gray, Yes;**
34 **Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner Duryea, Yes;**
35 **Mayor Mealor, Yes.**

36
37 E. Request for a conditional use to allow a non-retail pharmacy in the PO (Professional
38 Office) zoning district located at Legacy Village, 3248 W. Lake Mary Boulevard,
39 Suites 1200 and 1210; St. Ledger Investments, LLC/Leoni Hylton, applicant (Public
40 Hearing) (quasi-judicial)

41
42 Mr. Noto said the subject property is in the Legacy Village office complex on the north side of
43 Lake Mary Boulevard between Wilson Drive and Ninth Street. Legacy Village was approved
44 by the Commission for site plan in March 2004. The applicant is proposing to occupy two bays
45 which would come out to 2,000 square feet to operate a non-retail pharmacy. In the PO
46 zoning district a pharmacy is a conditional use.

1
2 Mr. Noto said the applicant has provided a business plan, which is in the packets, and
3 highlights some aspects of the business. The pharmacy would operate as a closed Internet
4 pharmacy where prescriptions would be supplied and labeled. They would then utilize a
5 courier company to deliver the goods to the customers. The customers will not enter the
6 facility. The hours of operation are anticipated to be between 9:00 A.M. and 9:00 P.M. and
7 there will be about five employees.

8
9 Mr. Noto said the typical parking standards for 2,000 square feet of office space would be
10 eight. Due to the nature of the business and its uniqueness, we are anticipating they would
11 need six. Either way there were 104 spaces provided during development, there are currently
12 no parking issues, and we don't anticipate any problems.

13
14 Mr. Noto said in the past there have been two similar requests for closed door pharmacies.
15 One was approved by P&Z but the application was pulled by the applicant before it made it to
16 the City Commission and the other was approved within the PO zoning district.

17
18 Mr. Noto said P&Z heard this item at their April 14, 2009, meeting and voted unanimously (5 to
19 0) to recommend approval.

20
21 Mr. Noto said staff finds the request meets all findings of fact and recommends approval.

22
23 Commissioner Duryea asked if he could condition this approval upon this not being retail. Ms.
24 Reischmann said she e-mailed Mr. Noto saying this approval would be for a non-retail
25 pharmacy.

26
27 Commissioner Duryea said he meant non-retail anything.

28
29 Mr. Omana said the way the PO zoning district is structured it does not allow for retail. The C-
30 1 and C-2 zoning districts allow for retail. The PO zoning already has that safety factor built in
31 that will not allow any retail. It is already governed by the permitted use standards of the code.
32 He said he felt there was no need for any further condition on the conditional use.

33
34 Mayor Mealor asked if anyone wanted to speak in reference to this request for conditional use.

35
36 Leoni Hylton, applicant, 1539 Cherry Blossom Terrace, Lake Mary, came forward. She said
37 she was a resident of the community and with the economy the way it is, she felt this was a
38 good positive venture in improving the community and providing employment to a small
39 number of individuals. In the long run it will benefit the senior members of the community in
40 terms of getting their medications.

41
42 No one else came forward and the public hearing was closed.

43
44 **Motion was made by Commissioner Lucarelli to approve, seconded by Commissioner**
45 **Gray.**

1 Ms. Reischmann said for clarification to have the approval be for a non-retail pharmacy
2 conditional use.

3
4 **Amended motion was made by Commissioner Lucarelli to approve the conditional use**
5 **with the condition that is for a non-retail pharmacy only, seconded by Commissioner**
6 **Gray and motion carried by roll-call vote: Commissioner Lucarelli, Yes; Deputy Mayor**
7 **Brender, Yes; Commissioner Duryea, Yes; Commissioner Gray, Yes; Mayor Mealor, Yes.**

8
9 IX. Citizen Participation

10
11 Deanna Brown of the Lake Mary Pub, 119 West Crystal Lake Drive, came forward. She
12 thanked the City for sending her some recycling bins. She could now say she would be
13 helping with the move to reduce the flow of garbage in the state's landfills by 75% by 2020.
14 Every week she puts out all the bottles, paper, and anything she can think of that she is able to
15 recycle. She said she thought more businesses should be allowed to do that. The City made
16 an exception for her and was told that businesses were not encouraged to have recycle bins.
17 She said she pressed for it and appreciated the City's help in obtaining those. She thought
18 businesses should get on this as well and not be discouraged from having recycling bins.

19
20 Ms. Brown said the Commission honored Ettie Jane Keogh who is an 80-year resident of Lake
21 Mary. The Lake Mary Pub is a 50-year business in the community and we are doing our best
22 to preserve the historical value of The Pub. She said her boyfriend just had a heart attack and
23 open heart surgery in March at 37 years old. She said he was the father of her baby that will
24 be due in October. She is the boss of the bar and we are doing our best to save The Pub. As
25 a plea to the citizens of Lake Mary, please come back to The Pub. We are one block north of
26 City Hall and we found that many Lake Mary residents don't know that The Pub exists. It is a
27 50-year icon and institution as the locals call it. She asked everyone to come to The Pub.
28 They would love to save The Pub's historical value and bring it back to the neighborhood
29 pub/meeting place that it once was.

30
31 Ms. Brown said she said she spoke to law enforcement and we are going to do our best to
32 change some of the reputation that preceded her and the management that they currently
33 have with some of the problems with the younger generation that defaced the community,
34 which she would never allow. She said she heard what they did to the flags and that is
35 preposterous. We will do our best to be a great community member, a law abiding pub, and
36 prosperous business that is happy to pay their taxes to the City of Lake Mary.

37
38 No one else came forward and citizen participation was closed.

39
40 X. Reports

41
42 A. City Manager

- 43
44 1. Request Commission authorize purchase of replacement radios from Motorola (four
45 mobile/four portable), sole source, in an amount not to exceed \$30,012.00 and declare
46 eight radios surplus and authorize City Manager to dispose of

1
2 Mr. Litton said this is the replacement of four mobile and four portable radios for the police
3 department. The mobiles are \$3,494.00 each and the portables are \$3,549.00 each. There is
4 also some ancillary equipment that goes with each of those. We also request the Commission
5 surplus the radios listed in the staff report. These generally go to other departments to replace
6 other hand-me-downs. These work and it is a matter that we have a regular cycle for these
7 replacements.

8
9 Mr. Litton said his request is for the Commission to approve \$30,012.00 for the purchase of
10 these radios.

11
12 **Motion was made by Commissioner Lucarelli to approve the purchase of four mobile**
13 **radios and four portable radios, declare eight radios surplus as outlined in the staff**
14 **report and authorize the City Manager to dispose of, seconded by Commissioner**
15 **Duryea and motion carried unanimously.**

16
17 2. Request Commission authorize expenditure from Law Enforcement Trust Fund to
18 purchase lock boxes from Frank J. Martin Company, utilizing Winter Springs Police
19 Department pricing, in an amount not to exceed \$1,627.20, and authorize City Manager
20 to execute associated budget adjustment

21
22 Mr. Litton said this is a request to expend from the Forfeiture Fund a total of \$1,627.20. This is
23 a proposed lock box program that the police department has developed. They are basically
24 mirroring a program that is already in effect in the City of Winter Springs. So far it has been
25 successful but not as successful as they would like it to be, but there are more people getting
26 on board as they become aware of it. This is directed toward senior citizens and gives law
27 enforcement or fire department an opportunity when they get a call or are doing a wellness
28 check and something is just not right to use a lock box like real estate people do instead of
29 breaking into the house. They will also have emergency contact information at the police
30 department in the event they need to get hold of a relative or friend. It is a good program and
31 can do nothing but good things and is a way of reaching out to our senior citizens.

32
33 Mr. Litton asked the Commission to approve the expenditure and associated budget
34 adjustment in the amount of \$1,627.20 for the lock box program.

35
36 Commissioner Duryea asked Mr. Litton if he had talked to Chief Bracknell and this is not going
37 to make it easier for people to break into houses. Mr. Litton said he did and this was just like a
38 real estate lock box.

39
40 Chief Bracknell said it is an extremely hardened lock box and thought it was better than a real
41 estate lock box. The combination is only known through law enforcement in our computer
42 system in our communication center. We have to know where we hide it.

43
44 Deputy Mayor Brender said they showed these locks at the Winter Springs CALNO meeting
45 and they are very hardened. In Winter Springs they are not necessarily on or in the vicinity of

1 the front door. They are usually on a hose bib or on the side of the house. The police and fire
2 departments will know where they are.

3
4 Chief Bracknell said that would be in the communications center. When they pull up that
5 address, it will tell us where the lock box is at and what the secret code is.

6
7 Deputy Mayor Brender asked if we were giving these all away or charging.

8
9 Chief Bracknell said if you are a special needs individual or have health issues you can get
10 these without cost. If you are under a particular age group or do not have any medical
11 problems, there will be a one-time fee that will cover the actual cost of the box itself and it's
12 \$16.95.

13
14 **Motion was made by Commissioner Duryea to approve, seconded by Commissioner**
15 **Lucarelli and motion carried unanimously.**

- 16
17 3. Request Commission authorize Mayor to accept Federal FIRE Act Grant in the amount
18 of \$45,552.50 and authorize purchase of AutoPulse Chest Compression Devices from
19 Zoll Medical Corporation, sole source, in an amount not to exceed \$29,041.50

20
21 Mr. Litton said this is to accept a Federal FIRE Act Grant in the amount of \$45,552.50. What
22 we are getting by doing this is \$49,794.50 worth of equipment for a price out of the City
23 budget of \$4,242.00, which is our required 5% match. We already purchased the hydraulic lift
24 stretchers back in October and now we will get the AutoPulse chest compression devices.

25
26 **Motion was made by Commissioner Duryea to approve, seconded by Commissioner**
27 **Lucarelli and motion carried unanimously.**

- 28
29 4. Request Commission cancel June 18, 2009, Commission meeting, reschedule meetings
30 in July, and approve FY 2010 budget schedule

31
32 Mr. Litton said this is a request to cancel the June 18th meeting and reschedule the two
33 meetings in July since there are five Thursdays, going from July 2nd and 16th to July 9th and
34 23rd. That will give us more time for the budget prep. Hopefully we will get some numbers
35 from the County pretty quickly. He said the later we can go the better off we are going to be.

36
37 **Motion was made by Commissioner Lucarelli to cancel the June 18, 2009, meeting,**
38 **reschedule July meetings to July 9th and 23rd, and approve the FY 2010 budget**
39 **schedule, seconded by Commissioner Gray and motion carried unanimously.**

- 40
41 5. Request Commission direction on conducting early voting at City Hall and whether or
42 not to have the County canvass our stand alone elections

43
44 Mr. Litton said the price quoted in the City Clerk's memo of \$1,800 is really \$2,700 to hold
45 early voting. He said the Supervisor of Elections has requested all cities to hold early voting in
46 their own cities. The Supervisor of Elections Office will also be open. We are in a different

1 situation because we are closer to his office than most cities. To do that will cost the City
2 approximately \$2,700 for the poll workers. The ballots will cost about \$1,800. If the
3 Commission wanted to do early voting at city hall in addition to the Supervisor of Elections
4 office we are looking at a cost of \$4,500. If the Commission wants to do early voting only at
5 the Supervisor of Elections office then it would just be the cost of the ballots which is \$1,800.

6
7 Commissioner Gray said she didn't think it was necessary to have early voting. She asked if
8 the election would only be the City of Lake Mary.

9
10 Mr. Litton said we don't know what it's going to be but there is a very good chance it could be
11 just Lake Mary.

12
13 **It was the consensus of the Commission to pass on early voting at this time.**

14
15 Mr. Litton said the Community Development Department will be holding another informational
16 session on the Crystal Lake Preserve on Wednesday, May 13th, 5:00 P.M. in the Commission
17 Chambers. The Leidighs and the representatives of Timacuan have been working closely
18 together and have pretty much worked it out.

19
20 Mr. Litton said the Florida Yards and Neighborhoods will conduct an informational session on
21 May 14th, 6:30 P.M. to 8:30 P.M., in the Commission Chambers. Representatives will teach
22 how to save time and money by watering efficiently, applying fertilizers appropriately, and
23 controlling yard pests responsibly. The session is free but you need to register by calling 407-
24 665-5575.

25
26 Mr. Litton said the Community Development Department will also be holding a public
27 informational session together with the City's consultants on May 18th, 6:00 P.M., at the Events
28 Center on the Transit Oriented Development. One of the stipulations is that we have public
29 sessions, public input and involvement and that's what we are trying to do. We will be mailing
30 notices to all the property owners. We moved it to the Events Center in anticipation of having
31 a big crowd from the downtown area. It will be a good opportunity to show off the Events
32 Center to people who may not have seen it.

33
34 Mr. Litton said to stop by the museum during the month of May to view the "It's a Girl Thing"
35 exhibit. The museum is open on Thursdays from 6:30 P.M. to 8:30 P.M., on Saturdays from
36 10:00 A.M. to 2:00 P.M., or by appointment.

37
38 Mr. Litton said the Movie in the Park next Thursday will feature "Hotel for Dogs". The Spring
39 Move Classic on May 16th will feature "Barefoot in the Park". Both movies begin at 8:00 P.M.

40
41 B. Mayor

42
43 Mayor Mealor had no report at this time.

44
45 C. Commissioners (4)

1 Commissioner Lucarelli said she attended Relay for Life with the *Lake Mary Life* team. They
2 were the fourth top team for fundraising. She said her daughter walked seven miles with her
3 and she was very proud.

4
5 Commissioner Lucarelli said she attended a Victim's Rights awards lunch and Dr. Vogel was
6 awarded the Leadership Award for his activity and teaching drug and violence resistance in the
7 schools. She said Jeannie Gold of Safehouse was awarded Attorney of the Year.

8
9 Commissioner Lucarelli said the *Lake Mary Life* celebration at Timacuan was great fun and
10 was happy to see a lot of the Lake Mary staff there.

11
12 Commissioner Lucarelli said for the Women's Advisory Council we have a confirmed date of
13 December 6th. Starting at 6:30 P.M. we will be having the Ornament Ball at the new Lake Mary
14 Westin. She said she was Chairman of the Host Committee. Tables will be \$1,500 apiece at
15 \$150 per seat (10 seats per table). The money will be divided between the Ovarian Cancer
16 Alliance Foundation and our committee that is raising money for a \$30,000 breast MRI
17 machine for the hospital. Several of the doctors and their spouses will be there and they are
18 helping them out on the committee.

19
20 Commissioner Lucarelli said she attended an art meeting at SCC with a lot of the local art
21 groups (Seminole Art Council, Casselberry Art House). There were people from art
22 associations from all over Seminole County. They are trying to develop a cooperative group
23 that will help each other and support the arts in Seminole County. It was a well attended event
24 and the next one will be in September.

25
26 Commissioner Lucarelli said the prayer breakfast this morning was awesome.

27
28 Mayor Mealor said they appreciate the way Commissioner Lucarelli represents the
29 Commission in a number of activities.

30
31 Deputy Mayor Brender said he attended CALNO last night at the City of Oviedo. They had a
32 presentation on their new public works building which is a LEED certified gold standard
33 building. These LEED programs are becoming the standard for building. While most of the
34 buildings in the City of Lake Mary are pretty much built now, anything that comes in the future
35 he would suggest that staff try to encourage builders and owners to go after a LEED
36 certification. These are going to become the standards of buildings. In the next five years
37 every building is going to be built that way because as you build more buildings the costs go
38 down. They said the building ended up costing 4.2% more to meet the gold standard.
39 Considering what they are going to be saving in water and electricity, the indications are their
40 payback will be in as little as five to seven years. It is important to encourage that simply
41 because it is smart development.

42
43 Deputy Mayor Brender said the City of Sanford will host CALNO on June 3rd.

44
45 Deputy Mayor Brender said the Seminole County Expressway Authority will be meeting May
46 12th at the BCC Chambers. He said he would be chairing that meeting since Chairman

1 McLean, along with the County Chairman, would be in Palatka doing some discussion with the
2 Water Management District in regards to the Yankee Lake project and water withdrawals from
3 the St. Johns River. There is not much happening with the Expressway Authority now. We
4 still have to go through public hearings for the final lay of the land and are tentatively planned
5 for the summer. We hopefully will have a final placement for the road at the November
6 meeting.

7
8 Deputy Mayor Brender said we are proposing that the Orlando/Orange County Expressway
9 Authority come together with Seminole, Lake and Osceola Counties to form a regional
10 transportation or regional expressway authority. Right now Lake County has quite a stretch of
11 road that the Wekiva Parkway will be going through but they have no participation on any of
12 the expressway authorities. The Seminole County Expressway Authority has the last four
13 miles plus what's on the east side. We are looking at a regional transportation authority and
14 how that will be composed, whether or not the Orange County Expressway Authority will buy
15 into it, how many members, etc. We believe it may help the Orlando/Orange County
16 Expressway Authority grow out of these difficult times that they are having right now with some
17 of the problems they have had in the past.

18
19 Deputy Mayor Brender said he had a discussion with Congressman Mica's office regarding the
20 inaction of the state on the commuter rail. It's not a dead issue. He thought the
21 Congressman's office is trying to work with Congressman Brown's office to develop a plan for
22 what to do next, if there is something to do next. Senator Dockery wins the battle and then
23 says this should come back. We should continue with our TOD district but didn't think we
24 would be investing a lot of money in it right now, but it will be interesting to see what kind of
25 plans play out for the rail system. In two to three years FDOT is going to be starting a major
26 redesign for the straightening of Fairbanks and adding lanes and to not have some kind of rail
27 system in place with major reconstruction on I-4 the City will come to a complete stop.

28
29 Commissioner Duryea said given the fact that CSX has said it didn't go and all bets are off, he
30 didn't have warm fuzzies about getting this thing going again.

31
32 Commissioner Gray said they talked about that today at Metroplan and the board will be
33 handling that next week. She said she thought they all had an e-mail but if not go on the
34 Metroplan's website and get an update. It is not dead; it just needs a lot of resuscitation.
35 Some of the land has already been bought. She said she would attend that meeting next
36 week.

37
38 Deputy Mayor Brender said they have spent \$75 million already for developing land and going
39 through consultants.

40
41 Mr. Litton interjected that he hoped they maintain the property that they purchased.

42
43 Commissioner Gray said that was a subject brought up several times because they bought the
44 property for the flyover at 436 and 17-92, leveled several buildings, and it grew up;
45 Casselberry had a big problem with that. We brought it up at Metroplan and they got some
46 help with clearing that and keeping it cleaner.

1
2 Commissioner Gray said she received several e-mails that Rock 'N the Park was fantastic, and
3 several people at the Chamber breakfast complimented on it.
4

5 Commissioner Gray said she attended the Chamber breakfast this morning. We have been
6 trying to move around Seminole County because many people belong to the Chamber. We
7 are trying to learn about Seminole County and they want to showcase their businesses. We
8 were at the dog track today. The clubhouse is set up very nicely for presentations because
9 there are TV's all around and on the tables because of the simulcasting. The speaker was
10 from Mountain State University. The next Chamber breakfast will be June 4th at the Altamonte
11 Hilton and will be the Chamber Choice Awards. She noted it was a paid breakfast that
12 morning.
13

14 Commissioner Gray said on May 28th is the Economic Development Summit at the Lake Mary
15 Marriott Hotel. She encouraged everyone to attend. The speaker is Bill Eruth who was there
16 two years ago and he takes the complex and complicated and brings it down so it's very
17 understandable. He does it in such an exciting and fun way. She encouraged everyone to go
18 to that.
19

20 Commissioner Gray said also this morning at the breakfast she invited the Marketing and
21 Public Relations Director from Advanced Solar Photonics and introduced her to a lot of people.
22 She said she was excited about them coming here and would create about 200 jobs and then
23 1,500 over the next several years.
24

25 Commissioner Gray said at Metroplan they talked about SunRail and it was not approved. The
26 red light cameras were not approved at the legislator level. The seat belt law was approved
27 and with that seat belt law the state will get \$35.5 million in federal funds. She said she
28 supposed that would go to safety-type things.
29

30 **SIDE 3A**
31

32 Commissioner Gray said the other thing on the shortlist at Metroplan is the International
33 Parkway and Rinehart Road repaving.
34

35 Commissioner Gray said she knew they had been getting calls at city hall about the once a
36 week trash pickup. She thought most of the residents that we don't hear from like the once a
37 week but the ones we hear from don't like it for several reasons. They don't know what to do
38 with their garbage, they are putting it in the freezer, etc. She asked how septic tanks handled
39 garbage via the garbage disposal. She said she puts most of her garbage down the disposal.
40 She said she had been freezing her garbage for years and takes it out every week. She said
41 she did that for the smell and then takes it out on trash day.
42

43 Mr. Paster said it is not recommended to put food waste down the sink if you have a septic
44 system. Garbage disposals aren't recommended for septic systems. Central sewer can
45 handle anything.
46

1 Commissioner Gray asked the percentage of folks in Lake Mary on septic. Mr. Paster said
2 currently about 50% of the City is on a central sewer system and about 50% have their own
3 septic tank and drain field.

4
5 Commissioner Gray said that was something to consider when they get complaints but didn't
6 know what they are going to do about it.

7
8 D. City Attorney

9
10 Ms. Reischmann had no report at this time.

11
12 XI. Adjournment

13
14 There being no further business, the meeting adjourned at 10:12 P.M.

15
16
17
18 _____
19 David J. Mealor, Mayor

Mary Campbell, Deputy City Clerk

20
21
22
23 ATTEST:

24
25
26
27 _____
28 Carol A. Foster, City Clerk