

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held May 21, 2009,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road.

3
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 Mayor Mealor said rarely in a community can we trace our roots back to the first. He
12 asked that everyone keep Lake Mary's first mayor, Don Jackson, in their prayers. This
13 is an example and something we enjoy today because of the courage and the vision of
14 those who came before us. He said Don is in a very grave condition and Lois (Jackson)
15 asked that we keep him in our prayers.

16
17 III. Pledge of Allegiance

18
19 IV. Roll Call

20
21 Mayor David Mealor John Litton, City Manager – Excused
22 Deputy Mayor Gary Brender – Excused Carol Foster, City Clerk
23 Commissioner George Duryea Jackie Sova, Finance Director/
24 Commissioner Shirley Gray Assistant City Manager
25 Commissioner Jo Ann Lucarelli John Omana, Com. Dev. Dir.
26 Gary Schindler, City Planner
27 Steve Noto, Planner
28 Peter Schaffer, Summer Intern
29 Bill Carrico, Parks & Rec. Dir.
30 Bruce Paster, Public Works Dir.
31 Dave Dovan, Asst. Public Works Dir.
32 Colin Morgan, Deputy Police Chief
33 Craig Haun, Fire Chief
34 Katie Reischmann, City Attorney
35 Mary Campbell, Deputy City Clerk
36

37 V. Approval of Minutes: May 7, 2009

38
39 Commissioner Gray noted a spelling error on Page 34, Line 15. The speaker was Bill
40 Fruth.

41
42 **Motion was made by Commissioner Lucarelli to approve the minutes of the May**
43 **7, 2009, meeting with the correction noted on Page 34, Line 15, seconded by**
44 **Commissioner Gray and motion carried unanimously.**

45
46 VI. Special Presentations

47
48 There were no special presentations at this time.

1
2 Mayor Mealor announced that there was a request by staff to postpone Item 7-B
3 (Ordinance No. 1320).

4
5 **Motion was made by Commissioner Lucarelli to postpone, seconded by**
6 **Commissioner Gray and motion carried unanimously.**

7
8 Mr. Omana asked that the motion maker make it date certain to June 4th. That will
9 maintain the advertising in place.

10
11 **Amended motion was made by Commissioner Lucarelli to postpone Ordinance**
12 **No. 1320 to June 4, 2009, seconded by Commissioner Gray and motion carried**
13 **unanimously.**

14
15 VII. Unfinished Business

- 16
17 A. Ordinance No. 1321 – Final PUD for Lake Mary Preparatory School, 650
18 Rantoul Lane, 140 E. Wilbur Avenue, and 143 E. Lake Mary Avenue; Lake
19 Mary Real Estate, LLC/Larry Lombardi, applicant – Second Reading (Public
20 hearing) (quasi-judicial)

21
22 The City Attorney read Ordinance No. 1321 by title only on second reading.

23
24 Mr. Schindler said staff has nothing additional.

25
26 Mayor Mealor asked if anyone wanted to speak for or against Ordinance No. 1321. No
27 one came forward and the public hearing was closed.

28
29 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1321 on**
30 **second reading, seconded by Commissioner Duryea and motion carried by roll-**
31 **call vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
32 **Lucarelli, Yes; Mayor Mealor, Yes.**

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

36
37 A motion was made earlier in the meeting to postpone Ordinance No. 1320 to June 4,
38 2009 (see Page 2, Line 11).

39
40 VIII. New Business

- 41
42 A. Resolution No. 841 – Amending the boundaries of the Downtown
43 Development District to include property on the north side of Lake Mary
44 Boulevard east of Country Club Road, west of Palmetto Street, abutting the
45 CSX Railroad

46
47 The City Attorney read Resolution No. 841 by title only.

1 Mr. Noto requested to combine the presentations for Items A, B and C and vote on each
2 item by separate motion. There were no objections from the Board.

3
4 The City Attorney read Ordinance No. 1323 by title only on first reading.

5
6 The City Attorney read Ordinance No. 1324 by title only on first reading.

7
8 Mr. Noto said the subject property is on the north side of Lake Mary Boulevard abutting
9 the CSX Railroad and is .94 acres in size. The applicant is requesting not only inclusion
10 into the downtown but a rezoning from C-1 to DC and a future land use amendment
11 from LMDR to Downtown Development District.

12
13 Mr. Noto said what he is showing on the overhead is the culmination of two site plans.
14 The parking lot that encompasses most of the site plan is the FDOT proposed parking
15 lot. The southwest corner of the property (shaded in yellow) is the applicant's property.
16 The applicant's property is a triangle; however, this would join his property with the
17 FDOT lot. We suggested the applicant work with staff and then staff would work with
18 the County and FDOT to do cross access easements for parking and also drainage to
19 the east. This is something we will get into more detail during the site plan process.

20
21 Mr. Noto showed the original conceptual site plan the applicant submitted. It was going
22 to be a two to three-story building and the parking was going to be on the lower level. It
23 was going to be office uses. At this point he would meet the parking requirements. The
24 DC zoning would allow him a greater abundance of uses compared to the C-1 zoning
25 district. At this time his zoning and land use designations are not compatible per the
26 comprehensive plan. By moving the property within the downtown it would act as the
27 catalyst property for properties on the east side of the CSX Railroad to be pulled into the
28 downtown.

29
30 Mr. Noto said the rezoning was recommended for approval by P&Z on April 14, 2009.
31 The land use amendment was approved unanimously by LPA on April 15, 2009.

32
33 Mr. Noto said staff finds the rezoning and future land use requests meet the applicable
34 findings of fact as laid out in both staff reports. Staff also requests approval of
35 Resolution No. 841 which would extend the downtown boundaries to include this
36 property. The downtown land use would be CRR, which would be Commercial/Retail.

37
38 Commissioner Duryea said some time ago a past commission made the point that they
39 weren't going to allow commercial development to go on the north side of Lake Mary
40 Boulevard east of the railroad tracks. He asked if it was commercial now.

41
42 Mr. Noto said it is commercial now and has a residential future land use.

43
44 Commissioner Duryea asked if they could put commercial on the property with the
45 residential future land use. Mr. Noto said they would first have to amend the land use to
46 commercial.

1 Commissioner Duryea said they don't have any rights now except residential. Mr. Noto
2 said that is correct but even with the residential future land use they would have to
3 change the zoning to a residential zoning.

4
5 Commissioner Duryea said this allows the applicant to develop the property to a higher
6 density than was originally intended for that site. Mr. Noto answered affirmatively in
7 terms of commercial development.

8
9 Mayor Mealor said in the mid-90's we were adamant about the use of this particular
10 piece of property. We re-evaluated how we would plan the downtown development
11 district and this is simply an extension of those discussions.

12
13 Commissioner Duryea clarified that the land use as it is right now doesn't allow
14 commercial development per se. Prior commissions made a decision that the north
15 side of Lake Mary Boulevard would be office/professional. The 7-11 and so forth was
16 there before that particular decision was made. He said he didn't have a problem doing
17 this but wanted everybody to make sure this is what they want to do because this will
18 now be a commercial development on the north side of Lake Mary Boulevard. It is by
19 the railroad tracks, has a retention pond and parking lot, but could see the next piece
20 and the next piece and then all down Lake Mary Boulevard. He said he had no problem
21 with it but wanted everybody to realize what could happen.

22
23 Mayor Mealor said even with discussions he has had with potential investors is that this
24 Commission has been adamant that any area west of where we are right now will be
25 professional office on the north side of Lake Mary Boulevard. He said he thought that
26 was the absolute right decision. This is probably consistent with this issue in the
27 location and future planning. He said he appreciated Commissioner Duryea's
28 comments.

29
30 Commissioner Gray said she was glad Commissioner Duryea brought that up because
31 she hadn't thought of that. There is a big vacant lot at Lake Street and Lake Mary
32 Boulevard and they might say they want commercial.

33
34 **Motion was made by Commissioner Duryea to approve Resolution No. 841,**
35 **seconded by Commissioner Gray and motion carried by roll-call vote:**
36 **Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Commissioner Duryea,**
37 **Yes; Mayor Mealor, Yes.**

38
39 B. Ordinance No. 1323 – Small Scale Future Land Use Amendment from LMDR
40 to DDD for property on the north side of Lake Mary Boulevard, east of
41 Country Club Road, west of Palmetto Street, abutting the CSX Railroad;
42 Quality Real Estate Development Corporation/Axim Manji, applicant – First
43 Reading (Public Hearing) (Legislative)

44
45 Ordinance No. 1323 was read by title only on first reading and presented/discussed
46 under Item 8-A.

1 Mr. Noto said to address the concern about commercial development, the proposed use
2 for the property is professional office. The intended use is for the applicant's real estate
3 office.

4
5 Mayor Meador asked if anyone wanted to speak for or against Ordinance No. 1323. No
6 one came forward and the public hearing was closed.

7
8 **Motion was made by Commissioner Duryea to approve Ordinance No. 1323 on**
9 **first reading, seconded by Commissioner Gray and motion carried by roll-call**
10 **vote: Commissioner Lucarelli, Yes; Commissioner Duryea, Yes; Commissioner**
11 **Gray, Yes; Mayor Meador, Yes.**

12
13 C. Ordinance No. 1324 – Rezone from C-1 to DC property on the north side of
14 Lake Mary Boulevard, east of Country Club Road, west of Palmetto Street,
15 abutting the CSX Railroad; Quality Real Estate Development
16 Corporation/Axim Manji, applicant – First Reading (Public hearing) (quasi-
17 judicial)

18
19 Ordinance No. 1324 was read by title only on first reading and presented/discussed
20 under Item 8-A.

21
22 Mayor Meador asked if anyone wanted to speak for or against Ordinance No. 1324. No
23 one came forward and the public hearing was closed.

24
25 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1324 on**
26 **first reading, seconded by Commissioner Gray and motion carried by roll-call**
27 **vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
28 **Lucarelli, Yes; Mayor Meador, Yes.**

29
30 D. Request for Preliminary Planned Unit Development for Bay Commerce
31 Center, 2452 Lake Emma Road; Lake Mary Bay, LP, applicant (Public
32 Hearing) (quasi-judicial)

33
34 Mr. Noto said the subject property is located at 2452 Lake Emma Road at the
35 intersection of Lake Emma Road and Emma Oaks Trail. The property is approximately
36 33.7 acres with a zoning of M-1A Industrial and a future land use of Industrial. The
37 applicant is proposing a rezone to PUD.

38
39 Mr. Noto said the site currently has 528 parking spaces and 10 of those are
40 handicapped. Right now the property has a mixture of uses broken down to distribution,
41 manufacturing and office. The total amount of parking spaces required based on the
42 square footages of those uses is about 500 and that is the main reason for the PUD
43 request. The applicant has let us know that when the facility is at 100% capacity, the
44 parking lot is no more than 50% full. Due to the parking regulations of the standard
45 code, the applicant is unable to fluctuate in the amount of square footage used with the
46 other uses to make efficient use of the property. Right now there is 409,000 square feet
47 of distribution, 113,000 square feet of manufacturing, and 43,000 square feet of office.
48 That requires about 500 parking spaces. Due to the parking regulations if he were to

1 take away 50,000 square feet from distribution and shift that to manufacturing, he would
2 be required to have almost 600 parking spaces.

3
4 Mr. Noto said it is an interesting predicament that while his space is 100% leased, he is
5 missing out on an additional area of income by not being able to modify the use
6 allowances because of the parking regulations. By introducing PUD and a developer's
7 agreement, we are able to modify the parking regulations to the best ability of the
8 property. He noted in the developer's agreement and as a condition of approval of the
9 PUD is that if the parking ends up becoming a problem in the future, there are some
10 mitigating measures the applicant would have to go through. This would be based off of
11 City inspection. This is also noted in the staff report. The property owner would have to
12 have the businesses have their employees work in second or third shifts, they would
13 have to start a van pooling program or complete a parking study. These are a couple of
14 options and we would be open and flexible with other options that they may want to go
15 for.

16
17 Mayor Mealor said the board recommended that the developer's agreement come to us.
18 He asked if that had been formalized.

19
20 Mr. Noto said the developer's agreement is within the packe;, however, we are
21 modifying a few minor things. We had a couple of changes come in today but weren't
22 substantive. We had put in that mitigating measures would have to take effect but we
23 changed it to "based upon City inspection".

24
25 Mayor Mealor said between now and second reading we would have a finalized version.
26 Mr. Noto said that was correct.

27
28 Mr. Noto said even if the developer's agreement and PUD get approved, parking would
29 still not be allowed on Emma Oaks Trail, Lake Emma Road or other areas of the
30 property that is marked "No Parking".

31
32 Mr. Noto said the applicant is proposing to plant two Medjool palms at the entrance to
33 the property on Lake Emma Road. With regards to the PUD requirements, it meets
34 those per code based on the size and uses of the property.

35
36 Mr. Noto said P&Z unanimously recommended approval at their April 14, 2009,
37 meeting. Staff finds it meets all the applicable findings of fact and recommends
38 approval.

39
40 Commissioner Duryea questioned why we needed a zoning code if we make everything
41 PUD. Whenever someone comes in and they can't do what they want to do we make it
42 a PUD and it works. He said he was told that the good thing about a PUD is that we
43 can negotiate a PUD. He asked what was in it for the City. He said he wanted to be
44 sure that every time somebody wants to do something and somehow it doesn't work
45 that we discover a PUD that now works.

46
47 Mr. Omana said the situation in this case was interesting. We were approached earlier
48 in the year by Mr. Hurt and his team that they were very concerned about the status of

1 the buildings and potential leasing agreements with other companies. What they
2 relayed at the DRC meetings and conferences was that Lake Mary may end up with an
3 empty building here and we need your help. With that in mind we went over a number
4 of options to try to assist these folks to maintain a viable business and keep the building
5 occupied.

6
7 Mr. Omana said issue No. 2 was what we get in return. He said in his tenure with the
8 City since 1998, that has always been an interesting intersection where the signal is and
9 the internal driveway of the former Recoton building. It was suggested to the applicant
10 and he graciously agreed that the two Medjool palms at the entrance would provide a
11 very aesthetically pleasing component. These Medjool palms are very expensive and
12 are quite attractive. What we got in return was a nice entry feature with landscaping
13 and hopefully in the future a continued viable building, fully occupied or close to it.

14
15 Commissioner Gray asked how tall the Medjool palms get and were there power lines
16 above them.

17
18 Mr. Omana said before the Moroccan Beetle starting killing the Phoenix Canariensis we
19 were asking for that species for all development that came in. We then switched to the
20 Medjool. Medjool when planted is 15 feet with a substantial clear trunk height and they
21 can get up to 20 to 25 feet.

22
23 Commissioner Duryea asked if that would provide a view block coming in and out. Mr.
24 Omana said we will make sure the visibility issue is addressed.

25
26 Jean Abi-Aoun of Florida Engineering Group came forward representing the applicant.
27 Mr. Abi-Aoun said they concur with staff recommendations and asked for approval of
28 the PUD zoning and was available to answer questions.

29
30 Mayor Meador asked if anyone wanted to speak for or against the Preliminary Planned
31 Unit Development. No one came forward and the public hearing was closed.

32
33 Mayor Meador said the events of this past fall have changed the way that we do
34 business as a country, probably forever. Right now many communities are struggling.
35 That is not the case with this community. The presentation we heard this evening and
36 questions by Commissioners Duryea and Gray lend themselves that we are going to try
37 to work with people, particularly those who want to invest in our community.

38
39 **Motion was made by Commissioner Lucarelli to approve the Preliminary Planned**
40 **Unit Development, seconded by Commissioner Gray and motion carried by roll-**
41 **call vote: Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Commissioner**
42 **Duryea, Yes; Mayor Meador, Yes.**

43
44 E. Ordinance No. 1322 – Final Planned Unit Development for Leisure Bay
45 Commerce Center, 2452 Lake Emma Road; Lake Mary Bay, LP, applicant –
46 First Reading (Public Hearing) (quasi-judicial)

47
48 The City Attorney read Ordinance No. 1322 by title only on first reading.

1
2 Mr. Noto said we will bring the finalized developer's agreement to second reading for
3 the Commission's consideration.

4
5 Mayor Meador asked if anyone wanted to speak for or against Ordinance No. 1322. No
6 one came forward and the public hearing was closed.

7
8 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1322 on**
9 **first reading, seconded by Commissioner Gray and motion carried by roll-call**
10 **vote: Commissioner Lucarelli, Yes; Commissioner Gray, Yes; Commissioner**
11 **Duryea, Yes; Mayor Meador, Yes.**

12
13 F. Ordinance No. 1325 – Amending Retail Sales Establishment, changing name
14 to Convenience Business Security, and providing for new security regulations
15 – First Reading (Public Hearing)

16
17 The City Attorney read Ordinance No. 1325 by title only on first reading.

18
19 Ms. Sova said we are just bringing our current ordinance into compliance with state
20 statutes.

21
22 Commissioner Duryea said in 1990 we passed an ordinance that required any business
23 that was open after 11:00 P.M. to have two employees on duty. We did that as a
24 proactive thing to prevent future robberies, aggravated assaults, etc. He said his
25 confusion comes when he looks at this and it only applies to convenience retail stores.

26
27 Ms. Reischmann said the original definition in 1990 only applied to a certain type of
28 retail sales. She said that tracked the statute at the time. We have to do what is in the
29 statute and we can't go beyond that.

30
31 Mayor Meador asked if anyone wanted to speak for or against Ordinance No. 1325. No
32 one came forward and the public hearing was closed.

33
34 **Motion was made by Commissioner Gray to approve Ordinance No. 1325 on first**
35 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
36 **vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
37 **Lucarelli, Yes; Mayor Meador, Yes.**

38
39 G. Resolution No. 842 – Authorizing the City to enter into an agreement with the
40 Florida Department of Transportation for funds to perform the resurfacing of
41 Rinehart Road from County Road 46A to Lake Mary Boulevard

42
43 The City Attorney read Resolution No. 842 by title only.

44
45 Mayor Meador said he believed Resolutions Nos. 842, 843 and 844 were somewhat
46 related. Mr. Paster said that was correct.

1 Mayor Meador asked Mr. Paster to give an explanation of 842; it does generalize to 843
2 and 844 with the exception of the designated sites.

3
4 Mr. Paster said Resolution No. 842 is for Rinehart Road (from CR 46A to Lake Mary
5 Boulevard). We put forward three projects. The first is for Rinehart Road where we
6 build and repave the road surface and restripe the road. We will put in any traffic loops
7 that may be damaged during the milling portion. We will also ensure that the sidewalk
8 on the west side and the trail on the east side meet ADA requirements. The
9 Commission has an agreement to get the funds encumbered in Tallahassee. We are
10 currently doing design of the project in-house to save money. Funds also include
11 construction, inspection and engineering services during construction. The estimated
12 cost is \$577,410.

13
14 Mr. Paster said the scope for the next two resolutions is the same but the locations are
15 different. Resolution No. 843 is for International Parkway from County Road 46A to
16 AAA Drive. Resolution No. 844 is for International Parkway from AAA Drive to Lake
17 Mary Boulevard.

18
19 Mr. Paster said the County is working on Lake Mary Boulevard and we are coordinating
20 with them so the timing is the same for everyone. The federal government would like to
21 have all these funds expended by March 2010.

22
23 Commissioner Duryea asked what the "hook" was.

24
25 Mr. Paster said he didn't believe there was one. We have to follow FDOT target
26 guidelines and specifications.

27
28 Commissioner Gray said on Resolution 844, it says the County has postponed because
29 we don't have that part of International Parkway yet. She asked how to approve a
30 resolution that really isn't ours.

31
32 Mr. Paster said we broke the annexation into two pieces. The first portion was a Quit
33 Claim Deed so we own all the property that the road is on. We currently own the road,
34 but the road itself is not within the incorporated city limits. He said he told FDOT that
35 we own the road but the road surface is in unincorporated Seminole County and he
36 asked FDOT if that would have any effect on getting funds and they said no as long as
37 we own the road.

38
39 **SIDE 1B**

40
41 Commissioner Lucarelli asked if they had to have FDOT people working on the roads
42 since this is a FDOT project.

43
44 Mr. Paster said there were very specific requirements for the CEI. Some are for federal
45 roads and some for local roads. All the requirements are put into a RFP that Seminole
46 County is putting together. When that goes on the street it will be something we can
47 piggyback off of and would meet all federal requirements.

1 Commissioner Lucarelli said it says design and plans prep is in-house. She asked if
2 that was “in-house in-house” or the continuing engineering services firm. Mr. Paster
3 said it is in-house.

4
5 Ms. Sova said one of the “hooks” is that we had to be able to afford to do this work
6 ourselves. This is going to be reimbursed. We have got to be able to put this money
7 out and we can do that. Another one of the “hooks” is that this is going to require an
8 independent audit and that will be an extra \$5,000 in audit fees. There are some small
9 things but it is still well worth it.

10
11 **Motion was made by Commissioner Gray to approve Resolution No. 842,**
12 **seconded by Commissioner Lucarelli and motion carried by roll-call vote:**
13 **Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner Lucarelli,**
14 **Yes; Mayor Meador, Yes.**

15
16 H. Resolution No. 843 – Authorizing the City to enter into an agreement with the
17 Florida Department of Transportation for funds to perform the resurfacing of
18 International Parkway from County Road 46A to AAA Drive

19
20 The City Attorney read Resolution No. 843 by title only.

21
22 Mr. Paster had no further comments. (Estimated cost of project: \$360,507.)

23
24 **Motion was made by Commissioner Lucarelli to approve Resolution No. 843,**
25 **seconded by Commissioner Gray and motion carried by roll-call vote:**
26 **Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Commissioner Duryea,**
27 **Yes; Mayor Meador, Yes.**

28
29 I. Resolution No. 844 – Authorizing the City to enter into an agreement with the
30 Florida Department of Transportation for funds to perform the resurfacing of
31 International Parkway from AAA Drive to Lake Mary Boulevard

32
33 The City Attorney read Resolution No. 844 by title only.

34
35 Mr. Paster had no further comments. (Estimated cost of project: \$427,297.)

36
37 **Motion was made by Commissioner Lucarelli to approve Resolution No. 844,**
38 **seconded by Commissioner Gray and motion carried by roll-call vote:**
39 **Commissioner Lucarelli, Yes; Commissioner Duryea, Yes; Commissioner Gray,**
40 **Yes; Mayor Meador, Yes.**

41
42 Mayor Meador said we have a senior from Appalachian State University, Mr. Peter
43 Schaffer, who is studying to be an urban planner. He said Mr. Schaffer is working with
44 our professional staff. We are glad to have Mr. Schaffer with us and are fortunate in
45 that Mr. Schaffer’s father is the CFO for AAA. He said AAA is a wonderful corporate
46 neighbor and citizen. He welcomed Mr. Schaffer to the City of Lake Mary and that he
47 would be provided a very meaningful learning experience this summer. He said he was
48 glad Mr. Schaffer chose the City of Lake Mary to complete his academic studies.

1
2 IX. Citizen Participation

3
4 No one came forward at this time and citizen participation was closed.

5
6 Mayor Meador said of all that enter scouting less than 2% ever achieve the rank of Eagle
7 Scout. He recognized the Eagle Scouts that were in the audience and commended
8 them for their perseverance and wished them every success. He said if any of the
9 Commission could be of help to them to please contact city hall.

10
11 X. Reports

12
13 A. City Manager

- 14
15 1. Request Commission authorize street resurfacing through North Florida
16 Emulsions, Inc., via piggyback from Hernando County Contract #08-058, in an
17 amount not to exceed \$105,976.62; and through Orlando Paving Company via
18 Seminole County Contract Amendment #3 to RFP 4242-05/GMG in an amount
19 not to exceed \$173,778.70; for a total combined amount of \$279,755.32

20
21 Ms. Sova said this for the annual street resurfacing. The first portion is for micro-paving
22 on Arrowmount, Powderhorn, Chocktaw, Chickee, Mohegan, and Webster through
23 North Florida Emulsions via piggybacking Hernando County Contract 08-058 in an
24 amount not to exceed \$105,976.62.

25
26 Ms. Sova said the second portion is for milling and resurfacing Greenwood in the
27 amount of \$173,778.70 with Orlando Paving.

28
29 Mayor Meador said during the budget hearings this was presented and planned for.

30
31 **Motion was made by Commissioner Duryea to approve, seconded by**
32 **Commissioner Gray and motion carried unanimously.**

- 33
34 2. Request Commission approve Intergovernmental Agreement Relating to
35 Elections and authorize Mayor to execute same

36
37 Ms. Sova said this is a request for the Commission to approve an interlocal agreement
38 relating to elections and authorizing the Mayor to execute the agreement. This is a
39 change with the Supervisor of Elections where he will no longer be charging us for
40 absentee ballots and the delivery of the voting supplies to city hall. The County will be
41 providing canvassing boards so there won't have to be so many separate canvassing
42 boards at the Supervisor's office. It also provides the poll workers. The City Clerk will
43 prepare an ordinance to amend the election code.

44
45 Mayor Meador said the City Clerk has direction.

46
47 Ms. Reischmann asked if that included approval of the interlocal.

1 Ms. Sova asked if they would like it to come back with the ordinance changes. Mayor
2 Mealor answered affirmatively.

3
4 **Motion was made to approve the interlocal agreement later in the meeting. See**
5 **Page 12, Line 43.**

6
7 Ms. Sova said all non-essential offices will be closed on Monday, May 25th, in
8 observance of Memorial Day. Residential garbage and recycling will not be collected on
9 Memorial Day; however, Waste Management will be collecting on Saturday, May 23rd.
10 We have done e-mail blasts, it's on the website, was on the utility bills, and on the
11 calendar. We tried hard to get the word out because this is the first occurrence of the
12 make-up day with the garbage.

13
14 Ms. Sova said Sergeant Greg Grayson's term on the Police Pension Board expires at
15 the end of next month. He did not wish to serve again and the police officers conducted
16 an election and elected Sergeant Ronnie Gregory to the Pension Board. She thanked
17 Greg for his service on the Police Pension Board.

18
19 Ms. Sova asked John Omana to give an update on the TOD meeting.

20
21 Mr. Omana said on Monday evening we had a public input meeting at the Events
22 Center. The item was headed by ACI Consultants. We have an agreement with them
23 to pursue the TOD Study. The purpose of that meeting was to solicit input from the
24 residents. We had about 75 people present. We wanted to keep the meeting in such a
25 way that we wouldn't drown them with a bunch of planning lingo. We focused on what
26 do you want for downtown, what do you want to do when you go to downtown—
27 theaters, libraries, ice cream shops and things of that nature. We got some very good
28 feedback and overall it was positive. There were questions relative to why the
29 expansion of this area going eastward, is the City going to exercise eminent domain,
30 take my house, and are you going to kick me out. He said he answered that we are not
31 going to do that.

32
33 Mr. Omana said it was a very positive meeting. We received comments from the
34 residents and it was a very important step in the process because we got the
35 community involved. With that information we will sit down with the consultants and
36 draw up a master plan.

37
38 Mayor Mealor said on the second item of the City Manager's Report, the interlocal
39 agreement probably is what we approved and can be signed.

40
41 Ms. Reischmann asked the Commission to approve the interlocal agreement by motion.

42
43 **Motion was made by Commissioner Lucarelli to approve the interlocal agreement**
44 **with the Seminole County Supervisor of Elections and the City of Lake Mary,**
45 **seconded by Commissioner Gray and motion carried unanimously.**

46
47 B. Mayor

1 Mayor Meador said his vacation was amazing. We traveled for seven consecutive days
2 and never missed an appointment or meeting with the most efficient train system
3 moving people. We should be ashamed of ourselves that we don't have something
4 comparable.

5
6 Mayor Meador said the City of Maitland, and to some degree the City of Winter Park, is
7 re-evaluating the use of train horns. He said he and his wife walk this community every
8 evening and sometimes at 2 in the morning you will count 9 to 11 train horns going off.
9 He said he had a number of people ask if there was anything we can do with it.
10 Because the train system is under the jurisdiction of a very separate and somewhat
11 autonomous governmental agency, he thought the timing may be right for us to
12 piggyback with Maitland and explore options. He asked if the Commission had any
13 objection to direct staff to look into that.

14
15 Commissioner Duryea said we had looked into that and the problem with requiring a
16 certain decibel level, you have to provide the ultimate in safety equipment and that costs
17 a lot of money. Not only do we have to pay for it but we have to pay the railroad to put it
18 in. It was cost prohibitive at the time.

19
20 Mayor Meador agreed. The Federal Railroad Administrative has very specific rules and
21 there are very strict requirements. He said he would like to ask staff to investigate it. It
22 may simply be cost prohibitive. We could have staff work with Maitland on that issue.
23 He said Commissioner Gray is the City's representative and is on the Board of Directors
24 for the Tri-County League of Cities. He said working with the City of Maitland under that
25 auspices might be the best way to bring us additional information.

26
27 There were no objections from the Board.

28
29 C. Commissioners (1)

30
31 Commissioner Duryea commended Parks & Recreation for their care of City Hall and
32 the Farmer's Market. He said he stops there at least three times a month and it is
33 always pleasurable and clean. It is a job well done and couldn't say enough about that.

34
35 Commissioner Gray said she attended Leadership Seminole's graduation and their
36 Legacy Awards. She said Commissioner Carlton Henley got the Legacy Award this
37 year. He is quite a guy and has a lot of history and it was well deserved.

38
39 Commissioner Gray said also at the Leadership Seminole Awards they always have a
40 video character key contest. This year they selected "generosity" and high school kids
41 get into competition. Winter Springs won and those young people did an awesome job.

42
43 Commissioner Gray said today she attended the Tri-County League of Cities. The
44 Cities of St. Cloud and Kissimmee did a joint hosting at Gaylord Palms. She said she
45 was selected to be the liaison between the Tri-County League of Cities and the Women
46 Elected in Municipal Government.

1 Commissioner Gray said there was a cup that we passed around at the Tri-County
2 League of Cities for attendance and today the City of Winter Springs got the most
3 attendees for the third time. She said the next Tri-County meeting will be in Oviedo in
4 September and she would like to see somebody from every department attend.
5

6 Commissioner Lucarelli said she attended the Seminole County Tourism event and they
7 give awards to Seminole County businesses and things in the area. She was very
8 proud to see that the staff at the Hilton Garden Inn won a number of the awards.
9

10 Commissioner Lucarelli said she attended the Lake Mary DARE graduation. The kids
11 are great and did a really good job. She said she got up and said she hoped they took
12 this with them through middle and high school because it gets tougher there and to be
13 sure to keep communication open between the kids and the parents.
14

15 Commissioner Lucarelli said she attended PBAS and Representative Dorworth gave a
16 summary of what's been going on in Tallahassee.
17

18 Commissioner Lucarelli said she attended the Lynx ribbon cutting at South Seminole
19 Hospital. There is a new 434 route. She said she put a little plug in to DOT to see if
20 Lake Mary could get some more routes, especially involving the SCC, UCF and
21 International Parkway areas, and the comments were positive.
22

23 Commissioner Lucarelli said she attended the first Yards and Neighborhoods class at
24 City Hall and 40 people attended. It was a nice homey discussion and sharing of ideas
25 and things that we have tried in our yards that did or didn't work. It was very
26 informative. One of the topics was water quality and dog feces.
27

28 Commissioner Lucarelli said she enjoyed Leadership Seminole with Carlton (Henley)
29 who was her former principal. She said her former Assistant Principal and Guidance
30 Counselor were also there.
31

32 Commissioner Lucarelli said she participated in the Teal Magnolia 5K in Oviedo and
33 had about 200 participants. She said she would be doing the Lake Mary High School
34 race.
35

36 Commissioner Lucarelli said the TOD meeting went well and we got a lot of good
37 comments and involvement from people.
38

39 Commissioner Lucarelli said on Tuesday night she attended the Lake Mary High School
40 Awards ceremony and awarded an arts scholarship.
41

42 Mayor Mealor thanked Commissioner Lucarelli for the way she represents the City to
43 different groups.
44

45 D. City Attorney

46

47 Ms. Reischmann said there are a bunch of bills on the Governor's desk and one of
48 those is the Growth Management Bill which the League is asking the Governor to veto

1 but he is expected to sign. It does make unreasonable home rule authority which is the
2 League's reason for asking for veto. It also contains a two-year extension of all
3 development orders and building permits which could be problematic. It would provide
4 for transportation concurrency exemption areas and she thought it would cover most of
5 the City. There's lots of support on the housing incentives.
6

7 Ms. Reischmann said there were some other bills pending. She said she had
8 mentioned the one that didn't pass that restricts the local government's ability to spend
9 funds to advocate on issues and one that limits the City's ability to undertake
10 construction projects and require those to be put out to bid. The red light camera bill did
11 not pass.
12

13 Ms. Reischmann said there is a 56-page transportation bill that has variables in it and a
14 whole lot of goodies for the outdoor advertising industry. Wall murals are going to be
15 allowed which are humongous big ads along federal highways that are hung on the
16 sides of high rises, and it will allow the installation of pay telephone booths in cities
17 which would be allowed to have big ads on them. There is elimination of a safety
18 provision about the changeable billboards which requires that the messages don't shift
19 that often. If the Governor signs this the state could lose \$163 million in federal highway
20 funds because these potentially violate the Beautification Act. The Governor vetoed the
21 one that went to him last year. That is House Bill 1021 if anyone is interested in
22 sending something to the Governor.
23

24 Ms. Reischmann said she sent Mr. Litton an AGO about Facebook and didn't know if he
25 had a chance to distribute it to the Commission. The Attorney General has said when a
26 city or elected official sets up a Facebook and another elected official befriends that
27 elected official that everything becomes public record. Also you can potentially have a
28 Sunshine Law violation. She warned everyone to be careful about going that route
29 because they can create problems.
30

31 Commissioner Gray said at Tri-County today we had IT guys from several cities talking
32 about things that we should stay away from (Facebook, Twitter, and MySpace).
33

34 Ms. Reischmann said that could expose you to the Venice situation where your
35 personal computers get seized.
36

37 Mayor Mealor said the advice we had was anytime we receive an e-mail or
38 communication in an electronic form to make sure it is forwarded to the City Clerk for
39 the public record.
40

41 Ms. Sova announced that there would not be a Farmer's Market this weekend. Due to
42 the foot of rain we have already had and the predictions for the weekend we don't feel it
43 is prudent to have it.
44

45 Mayor Mealor said all of them would enjoy a day off on Monday. Everything we enjoy,
46 every possession, every opportunity is due to the sacrifice of those that came before us
47 and we thank those who are willing to do that today.
48

1 XI. Adjournment

2

3 There being no further business, the meeting adjourned at 8:20 P.M.

4

5

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8 _____
David J. Mealor, Mayor

_____ Mary Campbell, Deputy City Clerk

9

10

11

12 ATTEST:

13

14

15

16

17 _____
Carol A. Foster, City Clerk