

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held July 9, 2009, 7:00 P.M.,  
2 Lake Mary City Commission Chambers, 100 North Country Club Road.

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I. Call to Order

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

II. Moment of Silence

III. Pledge of Allegiance

The Pledge of Allegiance was led by Corporal Virgil Picklesimer.

IV. Roll Call

Mayor David Mealor	John Litton, City Manager
Deputy Mayor Gary Brender – Excused	Carol Foster, City Clerk
Commissioner George Duryea	Jackie Sova, Finance Director/ Assistant City Manager
Commissioner Shirley Gray	John Omana, Com. Dev. Dir.
Commissioner Jo Ann Lucarelli	Gary Schindler, City Planner
	Steve Noto, Planner
	Peter Schaffer, Summer Intern
	Bill Carrico, Parks & Rec. Dir.
	Gunnar Smith, Events Center Mgr.
	Jennifer Rollett, Asst. Events Ctr. Mgr.
	Ed Koch, Bldg./Facilities Mgr.
	Bruce Paster, Public Works Dir.
	Steve Bracknell, Police Chief
	Craig Haun, Fire Chief
	Katie Reischmann, City Attorney
	Mary Campbell, Deputy City Clerk

V. Approval of Minutes: June 4, 2009

**Motion was made by Commissioner Gray to approve the minutes of the June 4, 2009, meeting, seconded by Commissioner Lucarelli and motion carried unanimously.**

Mayor Mealor announced there is a request by the applicant to postpone Item 8-B, Resolution No. 845, to July 23, 2009.

**Motion was made by Commissioner Lucarelli to postpone Item 8-B, Resolution No. 845, to July 23, 2009, seconded by Commissioner Duryea and motion carried unanimously.**

Mr. Litton announced there was a request to postpone Item 8-E, Ordinance No. 1329, Amending Traffic Regulations, to August 6, 2009. The City Attorney had some comments and wanted us to do some further incorporation of state statutes.

1 Mayor Meador noted that the traffic regulations had not been amended since 1985.

2  
3 **Motion was made by Commissioner Lucarelli to postpone Item 8-E, Ordinance No. 1329, to**  
4 **August 6, 2009, seconded by Commissioner Gray and motion carried unanimously.**

5  
6 VI. Special Presentations

7  
8 Mr. Litton asked the Commission to declare a Model 66 Smith & Wesson revolver (Serial No.  
9 ANS7068) surplus so that weapon can be presented to Corporal Picklesimer upon his retirement.

10  
11 **Motion was made by Commissioner Lucarelli to surplus the Model 66 Smith & Wesson**  
12 **revolver, Serial No. ANS7068, seconded by Commissioner Duryea and motion carried**  
13 **unanimously.**

14  
15 A. Special Recognition - Corporal Virgil Picklesimer

16  
17 Mr. Litton asked Corporal Picklesimer and his family to come forward.

18  
19 Mayor Meador read and presented a proclamation to Corporal Picklesimer proclaiming Tuesday,  
20 July 14, 2009 as "Virgil Picklesimer Day".

21  
22 Mayor Meador said in the proclamation it was noted one of Virgil's many activities (Mayor Meador  
23 was referring to writing citations). He said he has had women tell him that they wasted their very  
24 best tears and have had men tell him that they gave their most profound "yes sir", but in neither  
25 case did it ever work. He said on behalf of the City of Lake Mary we honor, respect, and wish  
26 Virgil the best.

27  
28 Chief Bracknell read and presented a plaque to Corporal Picklesimer in gratitude for his 22 years  
29 of dedicated service. Chief Bracknell said Corporal Picklesimer will be promoted to Sergeant on  
30 July 14<sup>th</sup>. He invited everyone to a get-together on July 14<sup>th</sup> between 4:00 P.M. and 6:00 P.M.

31  
32 Chief Bracknell said in keeping with the tradition of retaining your firearm when you retire, Pick  
33 wanted the old-timey revolver. He presented to Corporal Picklesimer a Smith & Wesson revolver.

34  
35 Sergeant Ronnie Gregory came forward. He said there are a few words that describe Corporal  
36 Pick and those who work with him can relate to these: esprit de corps, passionate, tireless,  
37 professional, confidante, but most of all a friend who I can always count on to be there and get  
38 the job done. He said Pick has always been there when he needed him. He extended  
39 congratulations.

40  
41 Mayor Meador asked Sergeant Gregory when he joined the Lake Mary Police Force. Sergeant  
42 Gregory said April 2, 1989.

43  
44 Mayor Meador said although Sergeant Gregory is in a supervisory role of Officer Picklesimer, his  
45 military experience probably had something to do with the training Sergeant Gregory received  
46 early on as a new member of the Lake Mary Police Department. He asked if that was correct.

1 Sergeant Gregory said it absolutely is. He said Corporal Picklesimer's professionalism is beyond  
2 reproach.  
3  
4 Corporal Picklesimer thanked the Commission for this recognition. He said he tried all his life to  
5 work hard and that was just his nature. If the people who come through Lake Mary want to speed  
6 and tear around through the City, they can do that--except on Tuesdays because he would be  
7 here on Tuesdays and would still have the ticket writer.  
8  
9 Mayor Mealor said many of them are one of Corporal Picklesimer's "victims" but he did it with  
10 courtesy and kindness and at no time did he dare ask "Do you know who I am?"  
11  
12 Mr. Litton jokingly interjected that the same could not be said for Deputy Mayor Brender.

#### 13 14 B. Advanced Laser Photonics Group

15  
16 Kristin Breunig, Market Development Manager of Advanced Laser Photonics Group, came  
17 forward. Demitri Nikitin was also present.

18  
19 Ms. Breunig gave some background on the technology they are providing which is solar power.  
20 Solar power converts sunlight into electricity and they call that photovoltaics, so we make  
21 photovoltaics solar panels. The field of photovoltaics is technology and research related to the  
22 application of solar cells. Solar cells have the ability to capture the sun's light and convert it into  
23 solar energy.

24  
25 Ms. Breunig said a solar cell comes from the most abundant resource on earth, which is silicon.  
26 The process has been around for many years, is used in the semi-conductor industry and is a  
27 proven method. In order to make a module there is a lot involved in the process. It takes a lot of  
28 high-quality manufacturing and that's what we are working on. We get our solar cells and we  
29 make a solar panel. We are providing solar panels to the industry.

30  
31 Ms. Breunig said we are in the process of manufacturing monocrystalline solar panels.  
32 Monocrystalline solar cells are the most efficient solar cells that are available on the market.  
33 Being the most efficient means that you have more energy per square foot, which is great when  
34 you are dealing with a limited space constraint such as on a house. We have employed and are  
35 owned by people who have been in the semi-conductor industry for over 20 years and we are  
36 located in the heart of Lake Mary on Rinehart Road. We are the only solar panel manufacturer in  
37 the State of Florida and we are in the process of securing our supply chain to include 100% top of  
38 the line U.S. made components. Some of our supplies are components made in our local  
39 community so some of our suppliers are from Central Florida.

40  
41 Ms. Breunig said the product offering that we are developing is PV panels and PV kits. We call  
42 our kits the Fusion and is our marketing name. We have our PV Fusion, our residential kit, and  
43 our PV Fusion commercial kits. These kits provide a complete solution to the industry and will  
44 come with the racking system, hardware, inverters, and everything you need to plug it in and  
45 produce your energy. Our PV panels are producing 150 to 250 watts and in our future growth  
46 plan we hope to have 300 to 600 watt panels. These are very high power panels and they offer a  
47 lot of advantages to an end user because the higher wattage panel means you are going to get  
48 more efficiency. It's going to lower the cost to the end user because you are using less materials

1 to get the same amount of energy production. You are using less inverters and cables so it lowers  
2 the cost. All of our panels will come with the right certifications: UL, IEC, CE, and the Florida  
3 Solar Energy Center Certification.

4  
5 Ms. Breunig explained how the solar panels work when you put them on your house. You should  
6 get the solar modules installed on the roof of your house by a certified installer. They will start  
7 converting sunlight into DC power that runs through an inverter. The inverter converts it into AC  
8 power which is what our utility grid uses. They bring that power into your breaker box and that  
9 distributes it throughout your home so when you plug in your vacuum cleaner you are running it  
10 off the sun. Any excess goes to your utility meter and runs your meter backwards and now you  
11 can get a credit from the utility company. At night when you are no longer using energy from the  
12 sun, it's feeding energy back into your house so you still have power at night.

13  
14 Ms. Breunig said there is some legislation called net metering. The net metering legislation  
15 states that the utility company must credit you at utility rates, therefore, time of use customers will  
16 be credited peak rates for power feed into the grid during peak hours.

17  
18 Ms. Breunig went over the company's goals and objectives. We currently have a 250 watt  
19 model and are trying to have the 300 watt model for the winter, 440 watt model for Spring 2010  
20 and 600 watt model for Summer 2010. We want to become one of the largest suppliers and to do  
21 that we want to grow to 500 megawatts over the next two years. In order for us to get there we  
22 are going to need a lot of local, state and federal level support whether it is on a monetary level or  
23 just awareness that we are here and are offering this product; and also to help create and  
24 promote new renewable energy policies that make it easier for the end user to install these solar  
25 panels.

26  
27 Ms. Breunig asked why Florida was so important. It's the Sunshine State and we get 5.5 to 6  
28 hours of sunshine on average a day. It's kind of an untapped market. We have a little over 1  
29 megawatt of installation currently in Florida and they expect it can grow up to 641 megawatts so  
30 there is a lot of growth potential. This growth potential means there are going to be a lot more  
31 jobs and investment money here in the Florida. Having us here means that we are going to be  
32 able to create a lot more jobs. We are local manufacturing and can provide local support and we  
33 keep a lot of the money here. We no longer have to import electricity to fill demand and are able  
34 to do that ourselves. It helps diversify our portfolio so we are not 100% dependent on tourism  
35 and we have more high tech jobs out there and available.

36  
37 Ms. Breunig said renewable energy is great overall for the economy. It will decrease our  
38 dependency on foreign oil or energy that could pollute our environment. She felt renewable  
39 energy was going to help unite this country and bring us out of a recession and create a  
40 sustainable future in the long run.

41  
42 Ms. Breunig said there are some programs available for end users like the corporate tax credit for  
43 any renewable energy that is generated. The state currently offers a \$4.00 a water rebate  
44 program and utility companies have some rebate programs. There are additional programs on  
45 the federal level and you can look at getting both.

46  
47 Ms. Breunig said there are some programs that will help bring Florida to the next level. One of  
48 them is the Renewable Portfolio Standard. That is currently a state policy and it requires

1 electricity providers to obtain a minimum percentage of their power from renewable energy  
2 resources by a certain deadline date. Currently there are 24 states that have a renewable energy  
3 portfolio and Florida is not one of them. The United States is only generating about 7% of their  
4 power from renewable energy and less than 1% from solar. On the federal level they are looking  
5 to propose a RPS nationwide and one of the goals is to have 25% of our renewable energy  
6 generated by 2025. This policy is extremely important because this energy can be distributed  
7 across people's homes and it will make it more cost effective for us to have this renewable  
8 sustainable growth. This is something we should support and call our local legislators and let  
9 them know that this bill needs to pass in Florida. Five states have it on a non-binding contract.

10  
11 Ms. Breunig said there is also Renewable Energy Dividends. This was a policy that was trying to  
12 pass on the state level that didn't. This is the model used in Europe and is called a feed-in tariff.  
13 Vermont and Canada passed a feed-in tariff and Gainesville, Florida passed a feed-in tariff. They  
14 will pay you a premium rate paid to producers of renewable energy for every kilowatt of energy  
15 delivered to the grid. This helps make it more cost effective for people and businesses and is  
16 going to create more jobs and energy security. It appeals to investors to bring more money to the  
17 State of Florida and it benefits the bank, homeowners, and utility companies, so everybody can  
18 get something out of these policies. We need to continually educate others about them. These  
19 policies will help propel our business forward and help propel us to the next level.

20  
21 Ms. Breunig went over applications, ideas and ways of using solar power. You can use them to  
22 create electrical vehicle charging stations. We created one in Eustis, Florida. You can power cell  
23 phone towers. You can put them on commercial and residential rooftops, and military bases.  
24 Power purchase agreements are used on the utility level to implement building filler farms versus  
25 nuclear power plants. We should get solar on all the school systems. That will help with budget  
26 problems, will reduce costs and will be a great learning tool for kids in the school and teach more  
27 sciences as we grow.

28  
29 Ms. Breunig said if you install a 3,000 watt system, which is 3 kilowatts and an average  
30 household uses about 5 kilowatts, it's the equivalent of planting 317 trees, removing 103 tons of  
31 carbon, and removing 102 cars off the road—it is significant. We need everybody's help to push  
32 ourselves to the next level and reach our goals. We are trying to be as aggressive as we can.

33  
34 Mayor Meador thanked Ms. Breunig for her presentation. He said Advanced Laser Photonics has  
35 extended invitations to each member of the Commission to visit their facility. He welcomed  
36 Advanced Laser Photonics to Lake Mary and we appreciate the investment in the community and  
37 the potential it has for the State of Florida.

38  
39 Commissioner Gray asked how many employees they had at the facility on Rinehart Road. Ms.  
40 Bruenig said 12.

41  
42 Commissioner Gray said she thought they bought another company. Ms. Bruenig said we are  
43 working with Southeast Fabricators and they are located in Tavares, but at our plant we have 12  
44 people. We are at the old Siemens building (400 Rinehart Road). There is about 100,000 S.F. of  
45 manufacturing space. We just need additional help to propel us to the next level.

46  
47 Mayor Meador said the Council of Local Governments would probably welcome a presentation  
48 and would share that with Deputy Mayor Brender who is the City's representative to that group.

- 1 VII. Unfinished Business
- 2
- 3 A. Ordinance No. 1328 – Amending Election Code to comply with State Statutes,
- 4 providing for Seminole County Supervisor of Elections to hire poll workers, and for the
- 5 County Canvassing Board to canvass stand-alone elections – Second Reading (Public
- 6 Hearing)
- 7

8 The City Attorney read Ordinance No. 1328 by title only on second reading.

9

10 Mr. Litton said under Section 34.04, it does set forth at the commencement of the next regular or

11 special City Commission meeting following certification of the election any new member of the

12 Commission to take office.

13

14 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1328. No one

15 came forward and the public hearing was closed.

16

17 **Motion was made by Commissioner Duryea to approve Ordinance No. 1328 on second**

18 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call vote:**

19 **Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner Lucarelli, Yes;**

20 **Mayor Mealor, Yes.**

21

22 VIII. New Business

- 23
- 24 A. Request for Site Plan Review with variance for Oaklawn Funeral Home (Public
- 25 Hearing) (quasi-judicial)
- 26

27 Mr. Noto said the subject property is located in between County Road 46A eastbound and

28 westbound to the east of Rinehart Road. The subject property is approximately 3.5 acres in size,

29 has a zoning of A-1 and future land use of Public Semi-Public. Earlier this year the applicant

30 came forward for a conditional use approval for the construction of a new funeral home as they

31 were deviating from the original site plan.

32

33 Mr. Noto showed the site plan for the new funeral home. This is a site plan request with a

34 variance from Chapter 155, Appendix A. The current facility is approximately 6,000 S.F.

35

36 Mr. Noto showed a rendering of the proposed facility. It is approximately 30 feet high to the load

37 bearing wall. The measurement is from the lowest portion of the grade. The site is rather hilly

38 and is why that is noted there. The new facility will be approximately 14,000 S.F. On page 3.1 of

39 the site plan, it shows the project being broken down into phases. During the phase process they

40 are going to keep the existing facility open, cordon off the areas accordingly, and start work on

41 this new building. He pointed out there would be more parking available during construction than

42 there is right now on site. There are currently 22 parking spaces on site and when they begin

43 construction they are going to add temporary parking so the parking will increase before the new

44 building is completed.

45

46 Mr. Noto showed page C-3.0 of the site plan. Potable water is going to be serviced by the City

47 and reclaimed by the City of Sanford. When it comes to sewer, during the conditional use phase

48 we mentioned a developer's agreement for sewer service. When they develop the site now they

1 are going to have a septic tank and septic system towards the east portion of the property and  
2 they are entering into the developer's agreement to connect the sewer when it becomes available  
3 within 100 feet of the property.  
4

5 Mr. Noto said the applicant is going to exceed all relevant landscape improvement regulations.  
6 They are providing a Class a buffer which is an average 15 feet wide around the perimeter of the  
7 property. He pointed out the southeastern entrance. He said on the Commission's plan the  
8 landscape isle goes straight down. He pointed out Tree No. 30 which is a 43-inch DBH live oak.  
9 We asked them to try and save that tree and they modified the landscape island. They lost one  
10 parking space but still exceed the requirements and were able to save that tree. They are  
11 removing seven historic trees. That item was heard by the Arbor Board on Monday and they are  
12 proposing mitigation with 35 replacement live oaks so they will be exceeding all the landscape  
13 requirements.  
14

15 Mr. Noto said 46A is a County roadway so they had to do a lot of work with the County when it  
16 came to improvements. They coordinated with the County during the process. We had a lot of  
17 talk with the County, specifically about right-of-way improvements. With most improved property  
18 we like to see a sidewalk put around the perimeter. This property is more unique and this is  
19 where the variance comes into play. Instead of putting a sidewalk around the perimeter of the  
20 property, they worked with the City and the County to get variance support from doing that. They  
21 are providing ADA access from the entrance of the building across the parking lot, across 46A to  
22 the existing sidewalks that run along the cemetery. The variance item is outlined in the staff  
23 report. We are in support of the variance and the County is also in support of the variance. As  
24 the project goes on they will continue to work with the County for right-of-way utilization issues.  
25

26 Mr. Noto said during the conditional use the applicant provided a traffic statement which we  
27 carried over to the site plan phase. They again worked with the County during the traffic analysis  
28 and the County did not recommend any improvements to the roadway.  
29

30 Mr. Noto said lighting, stormwater and open space are outlined in the staff report and the site  
31 plan. They are meeting all regulations. They are providing 60% open space with the regulation  
32 being 35%.  
33

34 Mr. Noto said the Planning & Zoning Board heard the item on June 23, 2009, and unanimously  
35 recommended approval of the site plan with the variance.  
36

37 Mr. Noto said staff finds that the item meets all applicable codes and the comprehensive plan and  
38 recommends approval with the conditions outlined in the staff report. We had three new  
39 conditions come in during the week from the fire department. They are just notes that have to be  
40 added to the general notes at the beginning of the site plan and then moving a fire hydrant closer  
41 to the pavement. That will all be taken care of during the site construction phase.  
42

43 Mayor Meador said one thing that he appreciated more than anything else is that while we have  
44 not seen the degree of development recently that we have in the past, the one thing we did on the  
45 Boulevard is that we were relatively insistent on saving some of the monument trees. The site  
46 plan worked to retain those and it has truly made a difference. He said he was thankful that the  
47 applicant and his representatives worked with Tree No. 30. He thought it was a wonderful  
48 addition to that site and was thankful it is going to be retained.

1 Commissioner Gray said in the developer's agreement is says that the agreement goes with the  
2 property but then on No. 6 it says the duration of the agreement shall be for a term of 20 years  
3 from the effective date of the agreement. She asked the City Attorney to help them understand  
4 that.

5  
6 Ms. Reischmann said that provision is going to be stricken. It's not going to be included in the  
7 final agreement. There are a couple of tweaks to that agreement and one of them is to strike that  
8 because we don't know when sewer may be available. That is a required provision in statutory  
9 development agreements. Very often we use statutory development agreements so that pops up.  
10 This is not a statutory development agreement and it doesn't have to comply with all the  
11 requirements of the statutes so we will be striking that. She said she was glad that was brought  
12 that up because they wanted to indicate that to the Commission.

13  
14 Mayor Meador asked if anyone wanted to speak in reference to this request for site plan and  
15 variance. No one came forward and the public hearing was closed.

16  
17 **Motion was made by Commissioner Lucarelli to approve the site plan and variance with**  
18 **the conditions as set forth in the staff report and the three conditions identified by the fire**  
19 **department, seconded by Commissioner Gray.**

20  
21 Commissioner Gray said on Page 7 of the minutes of the Planning & Zoning Board, on No. 4 it  
22 says the Planning & Zoning Board recommends that the sixth condition of the developer's  
23 agreement be omitted.

24  
25 Mr. Noto explained the applicant made a voluntary contribution to the open space program and  
26 that was originally No. 6 in the developer's agreement so we took that out. We also took out the  
27 new No. 6.

28  
29 **Motion carried by roll-call vote: Commissioner Gray, Yes; Commissioner Lucarelli, Yes;**  
30 **Commissioner Duryea, Yes; Mayor Meador, Yes.**

31  
32 B. Resolution No. 845 – Replacement of an off-site direction sign in the median of Weldon  
33 Boulevard and U.S. 17-92 (postponed 6/4/09) (request to postpone until 7/23/09)

34  
35 This item was postponed to July 23, 2009, earlier in the meeting (see Page 1, Line 43).

36  
37 C. Resolution No. 847 – Accepting the conveyance of an easement for pedestrian access  
38 along the west side of Fourth Street between West Lakeview Avenue and Lake Mary  
39 Boulevard

40  
41 The City Attorney read Resolution No. 847 by title only.

42  
43 Mr. Schindler said we've got an opportunity tonight to approve an easement that will run through  
44 the paved area that Mr. Shaw has provided in his buildings on Fourth Street. It is envisioned that  
45 this is going to be an area in which there will be congregation of people and goods will be  
46 displayed for sale. There will be tables, chairs, and umbrellas. It will be an area for people to  
47 congregate. The width of this paved area varies and the widest is 19 feet. Throughout all of this  
48 we must preserve an ADA acceptable path with a minimum of 44 inches. We have a legal

1 description so there is no question that there is a path. The path is identified so that everyone will  
2 know where it is and what its purpose is. It is for the unobstructed movement of people.

3  
4 Mr. Schindler said this gives Mr. Shaw the area outside of this in which his merchants will display  
5 their wares, people get their ice cream cones or coffee and sit at the tables. It lets people know  
6 where they can do what.

7  
8 Mr. Schindler said staff recommends approval of the resolution for the sidewalk easement for a  
9 minimum 44-inch wide pedestrian path from Mr. Shaw with the condition that Mr. Shaw enter into  
10 the City's standard easement agreement.

11  
12 Mayor Mealor said this past Friday evening at the Red, Rock and Blue celebration, as well as the  
13 grand opening of the new stores across the street, what they are requesting was actually put into  
14 place. It was probably one of the most enjoyable early evenings he had spent in some time.  
15 There were a remarkable number of people and at no time did he ever feel that the flow of traffic  
16 was hindered in any way.

17  
18 Commissioner Duryea said the sidewalk easement is less than four feet. Mr. Schindler answered  
19 affirmatively.

20  
21 Commissioner Duryea said it was just over 3-1/2 feet and could not imagine two people passing.  
22 He asked why it wasn't at 4 feet.

23  
24 Mr. Schindler said it doesn't mean that 44 inches is going to be the only width of the walkway. It  
25 means that we are complying with ADA and 44 inches per ADA is the minimum width of the  
26 handicapped accessible route.

27  
28 Commissioner Duryea asked if they could make the area wider without the 90-degree turns. It  
29 seems if this is for ADA purposes, it would be easier for those people in a wheelchair or having  
30 problems ambulating that they would rather not have to go at 90-degree angles.

31  
32 Mr. Schindler said he agreed and believed and that overall the path will be wider. If it's the  
33 Commission's desire to have a wider path then they need to make that part of their motion, but 44  
34 inches is the minimum width that the state requires for ADA.

35  
36 Commissioner Gray asked the width of the sidewalk by Delano's where they put the tables.

37  
38 Mr. Schindler said the sidewalk that runs along Lakeview is no more than five feet. When we get  
39 on Fourth Street then it does widen out to 12 feet or wider.

40  
41 **SIDE 1B**

42  
43 Commissioner Gray said she thought that was small. She suggested 48 inches. She asked the  
44 width of the sidewalk on Lake Mary Boulevard.

45  
46 Commissioner Duryea said on this side (north) is eight feet but the other side (south) it is four  
47 feet.

48

1 Mr. Schindler said a minimum of four feet is the width of our sidewalks. We are mixing  
2 commercial with pedestrian access.  
3  
4 Commissioner Gray asked if they would be putting up umbrellas or canopies. Mr. Schindler said  
5 there would be tables with umbrellas.  
6  
7 Commissioner Gray recommended a four-foot sidewalk.  
8  
9 Commissioner Duryea said one of the things that has happened in the past is that code  
10 enforcement is adamant about having anything outside of the store regardless of the width of the  
11 sidewalk. He asked where in the code they have to change that so this is allowed.  
12  
13 Mr. Schindler said this is allowed in the downtown area with adequate room in front. He said Mr.  
14 Shaw designed his buildings with the intent that there would be some outdoor display. In the C-1  
15 and C-2 zoning districts we don't allow that because in reality you lose the 44 inches. We have  
16 had people come to us about these automated DVD machines and we told them that there must  
17 be 44 inches. In the C-1 and C-2 zoning districts we generally do not allow outdoor display or  
18 sale of merchandise. In the downtown we have taken a different tact.  
19  
20 Terry Shaw, Shaw Construction, 386 Pine Tree Road, Lake Mary, came forward. He said he  
21 wouldn't want to change it to four feet and wanted to stay with the 44 inches. We are giving 19-  
22 foot sidewalks and have paid a lot of money to surveyors to do this 44 inches and did not want to  
23 change it. At the market we have laid out all the tables and the flower person has their cart.  
24 There you have eight foot between the walk through. You wouldn't want 44 inches. The only  
25 reason we do this is to give a sidewalk easement to the City for code reasons but as far as the  
26 actual uses you will see six or seven feet walking area in most places with stuff on both sides  
27 staggered in and out. A lot of thought went into this and we feel comfortable with the 44 inches.  
28  
29 Commissioner Duryea asked Mr. Shaw how he was going to set this area out as different from  
30 the rest.  
31  
32 Mr. Shaw said this is probably the first true retail area for the downtown. He said his daughter  
33 opened a clothing boutique and there are 15 or 20 people a day just walking in and buying  
34 clothes. We have to get people in the rhythm with the market. Something we all have to promote  
35 is getting them used to coming to get their vegetables and meats there. The ideal is people are  
36 going to stop in there every other day and get their vegetables and plants. The boutique already  
37 has a name in the area. We think the ice cream shop is going to be huge hit. The next spot is  
38 going to be a café.  
39  
40 Commissioner Duryea said this area is going to be roped off or set off.  
41  
42 Mr. Shaw said the easement is nothing more than a code that we have to establish an area  
43 where nothing can go. He said he had talked to all his tenants and the beauty of it is if you notice  
44 how it runs on the backside of the landscaping where we have big cutouts, there is a saw cut line  
45 that goes down through there and everyone knows that nothing from this line over is to go in this  
46 area. Everybody knows that is for ADA reasons and nothing is to be in that area. We did a lot of  
47 planning and spent a lot of time with tenants and his family figuring out the most logical path and

1 it became apparent when you walked it. With all the people on Friday night there was no problem  
2 at all.

3  
4 Mayor Meador said he appreciated the sensitivity that Commissioners Duryea and Gray were  
5 putting into this. He said he believed this is a unique area. The previous city commission put a  
6 tremendous amount of effort into defining the Downtown Development District and worked  
7 incredibly hard to try and make this a success. This is the first and it is incumbent upon us to do  
8 everything that we can to work with the applicant and those businesses to give them every  
9 opportunity to be successful. He said he lived with ADA requirements on a daily basis because of  
10 his job because of faculty, student and general public issues. Forty-four inches is the criterion  
11 and this request meets that criterion. He said he was comfortable supporting the request for  
12 conveyance of the easement.

13  
14 Mr. Schindler said Mr. Shaw will be maintaining the easement area long with the rest of his paved  
15 area. He said Mr. Shaw owns the fee under this and is only giving the City an area guaranteed to  
16 comply with minimum code. It is the City's intent that Mr. Shaw would continue to maintain this  
17 area the same way that he would maintain the other paved areas.

18  
19 Mayor Meador said this was not a public hearing but if anyone wanted to speak we would not  
20 deny anyone that opportunity. No one came forward at this time.

21  
22 **Motion was made by Commissioner Gray to approve Resolution No. 847 contingent on the**  
23 **execution of an easement agreement by Terry Shaw, seconded by Commissioner Lucarelli**  
24 **and motion carried by roll-call vote: Commissioner Lucarelli, Yes; Commissioner Duryea,**  
25 **Yes; Commissioner Gray, Yes; Mayor Meador, Yes.**

26  
27 D. Resolution No. 848 – Amending Fees for Events Center

28  
29 The City Attorney read Resolution No. 848 by title only.

30  
31 Mr. Carrico introduced Gunnar Smith, Events Center Manager and Jennifer Rollett, Assistant  
32 Events Center Manager. He said we have had approximately 30,000 guests pass through the  
33 Events Center in the last year and he hasn't heard one complaint. From the very beginning when  
34 a person walks in to rent until the end when we start to clean it up they have all done a great job.

35  
36 Mr. Carrico said the revenue has far exceeded expectations, both money brought in and money  
37 that has not been spent. We would like to make some adjustments to the revenue flow and would  
38 let Gunnar Smith introduce that to the Commission.

39  
40 Mr. Smith said the first 18 months have gone very well. We have fielded a multitude of phone  
41 calls dealing with the renters and a lot of wedding planners, vendors, and caterers. Rates are  
42 often a topic that is brought up. We feel we have a good handle on what the market will take in  
43 our area and that is the reason for a lot of these changes.

44  
45 Mr. Smith said one area that has not been changed is the daytime block rates Monday through  
46 Friday. We wanted to give it enough time to see if the daytime corporate business that we are  
47 getting is just the amount we should expect in the market due to the economy or were our rates  
48 too high. We averaged over the first 18 months ten daytime, Monday through Friday, rentals per

1 month out of approximately 20 available days. We think we can do better than that and hopefully  
2 we are going to find out with this rate change if rate was the issue. This is where we are talking  
3 about lowering the rates. An example is from \$765 to \$500 for the Grand Ballroom.

4  
5 Mayor Mealor said this proposal is for rate reductions and other issues.

6  
7 Mr. Smith said there were rate reductions, rate increases, and a couple of policy changes.

8  
9 Mr. Smith said the next section is the evening block rates which are Thursdays. Because our  
10 Fridays, Saturdays and Sundays are so popular, Thursdays are becoming a prime social and  
11 wedding night and people are taking advantage of that. On Friday night you can get the Grand  
12 Ballroom for \$1,000 and on Thursday night can get it for \$395. Just about every Thursday is a  
13 huge social event and we are having massive setup, cleanup and breakdown. We would like to  
14 raise that rate to meet what the actual events are taking place.

15  
16 Mr. Smith said the next section is Monday through Wednesday 6:00 P.M. to 11:00 P.M. We want  
17 to keep those rates the same except for reducing the full building rental from \$1,200 to \$800. If  
18 you add up our current rates (\$395 for the Grand Ballroom, \$200 for the meeting room, \$275 for  
19 the Rotunda), it pretty much adds up to \$1,200. People were just renting the rooms they wanted.  
20 We would like to get more of the full building rental rates of \$800. We have a lot of ongoing  
21 corporate events on these days and we feel they would like to have more space but are  
22 cramming themselves in because of price. They would like to be the only people in the building  
23 so we will see if that works with the lowering of the full building rate.

24  
25 Mr. Smith said next is Friday evenings. We don't have a Friday evening available until April 2,  
26 2010 and that's because it just got canceled. The next one after that is July 2, 2010. Fridays and  
27 Saturdays are doing so well and we rarely get any questions about price on either one of those  
28 days. If we do get questions about price it is usually a "that's a great rate for what we are  
29 getting". We would like to increase the rates on Fridays. In doing the block rate increases we  
30 would need to increase the Friday evening hourly rates to coincide with that.

31  
32 Mayor Mealor said it was mentioned that every Friday is booked for the next 18 months. A lot of  
33 people ask the availability of the Events Center on Saturdays and he asked if he understood  
34 correctly that for the next 18 months there are only three or four Saturdays available in 2010.

35  
36 Ms. Rollett said we have September 11<sup>th</sup>, December 4<sup>th</sup> and December 11<sup>th</sup> available.

37  
38 Mr. Smith said for Saturdays they would like to raise the rate from \$2,500 to \$2,800. That \$300  
39 for every Saturday will be about \$15,000 in increased revenue. The Friday nights should be  
40 another \$10,000 to \$12,000.

41  
42 Mr. Smith the next one is our A/V package. We currently offer all four screens, projectors and TV  
43 cart for \$100. We often have two or three rentals going on at a time and if they are using only  
44 one screen we are charging \$100 for each one of them and we are starting to get questioned on  
45 that. We would like to break those down into individual rentals of \$40 apiece and if somebody  
46 wants four they can get that for \$120.

47

1 Mr. Smith said we would like to make a policy change. What happens is on Saturdays and  
2 Sundays if we get a late cancellation, for example inside 60 days, it's very difficult to re-rent those  
3 days because of the nature of what people are renting them for such as weddings, anniversaries,  
4 and large social functions. We would like to have the capability of using our Friday evening block  
5 rates if it is inside 60 days. The meeting room would be \$650 which more than meets the cost of  
6 our employees and utilities but it gives us the chance to book something else like a shower or  
7 birthday party. Right now when we are inside 60 days you can almost say that a Saturday or  
8 Sunday is not going to get rented.

9  
10 Commissioner Gray asked how these rates compared with Timacuan Country Club, Marriott  
11 Hotel, Heathrow Country Club and the new Weston Hotel.

12  
13 Mr. Carrico said it is difficult to compare those rates because when you go to a hotel, the room  
14 may be \$100 but the steering wheel costs \$50, the linens cost this and that. He showed some  
15 comparisons on the overhead projector. We are less expensive than the hotels and we provide a  
16 tremendous service when you start to add up everything we have. The chairs and tables are part  
17 of it, we have a person that is standing by constantly if there's a problem to move or change  
18 things that the customer wants. We have never had a complaint. He said we are very  
19 competitive and thought we are lower if you add everything up. He said one reason Leu Gardens  
20 and others are inexpensive is they try to have two and three events and it has to go boom, boom,  
21 boom. Leu Gardens has done a great job and we have copied some of their concepts, but it is  
22 very difficult to get the people out in that period of time and is why we have one block. He said he  
23 thought we were at least 20% to 30% less expensive than the hotels with the services we  
24 provide. We have had very few complaints about the caterers and there is a wide variety of  
25 prices from which to choose.

26  
27 Commissioner Gray said she didn't want them to shoot themselves in the foot because they are  
28 doing so good and with the economy not doing so well.

29  
30 Mr. Carrico said we understand that and we don't know what's going to happen. He said not to  
31 forget that everything will not happen for about 18 months. We are booked for every Saturday  
32 with very few exceptions so you won't see these go into effect for a year and a half and we have  
33 no idea what's going to happen at that point. We may have to come back to the Commission and  
34 say we want to revise the whole thing.

35  
36 Commissioner Gray said people are planning now and are looking at these prices now.  
37 Commissioner Duryea interjected for 18 months out.

38  
39 **Motion was made by Commissioner Duryea to approve Resolution No. 848, seconded by**  
40 **Commissioner Lucarelli.**

41  
42 Mr. Litton said this went to the Parks and Recreation Board and they unanimously recommended  
43 approval.

44  
45 **Motion carried by roll-call vote: Commissioner Duryea, Yes; Commissioner Gray, Yes;**  
46 **Commissioner Lucarelli, Yes; Mayor Meador, Yes.**

47

1 E. Ordinance No. 1329 – Amending Traffic Regulations and providing for new fees – First  
2 Reading (Public Hearing)  
3

4 Ordinance No. 1329 was postponed to August 6, 2009, earlier in the meeting (see Page 2, Line  
5 3).  
6

7 F. Fourth Amendment to Seminole County/City of Lake Mary Wholesale Sewage  
8 Agreement  
9

10 Mr. Litton said this is pretty much an administrative task. We haven't had an amendment since  
11 1993 and we are trying to reserve capacity to the best of our ability in accordance with the  
12 Wastewater Master Plan to accommodate what is projected at build out and that would be no  
13 more than 2 million gallons per day. Right now we have a commitment of 1.37 million gallons.  
14 We will have to pay the going rates that Seminole County charges but we always have to do that.  
15

16 Mr. Paster said this was a request by Seminole County to clean up their books to make all the  
17 agreements with other municipalities that they serve wastewater service to match their  
18 wastewater treatment plant permits with FDEP. It doesn't change how we do business in any  
19 way. It is just updating numbers to current capacity numbers.  
20

21 Commissioner Gray said she was looking at the maximum of 2 million gallons a day. It was  
22 recently said that about 50% of the City was on septic right now. We will probably have more  
23 sewage when these empty commercial buildings get filled, etc.  
24

25 Mr. Paster said the 1.37 is a permanent number and the actual flows can vary from that. The  
26 actual flows are somewhat less than that. The permanent number is different. They need to  
27 reserve enough capacity to take care of peak flows and peak days. The way it is permitted with  
28 the Florida Department of Environmental Protection is different than the way it flows through the  
29 pipe, so there are some discrepancies in those numbers.  
30

31 **Motion was made by Commissioner Gray to approve the Fourth Amendment to Seminole**  
32 **County/City of Lake Mary Wholesale Sewage Agreement, seconded by Commissioner**  
33 **Duryea and motion carried by roll-call vote: Commissioner Gray, Yes; Commissioner**  
34 **Lucarelli, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**  
35

36 IX. Citizen Participation  
37

38 Susan Schweickert, 183 S. Fifth Street, came forward. Last month around June 8<sup>th</sup>, there is an  
39 empty lot at the corner of Lake Mary Boulevard and Fifth Street that is commercial. There is a  
40 small lot behind it that is general commercial also. The man who owns that lot also owns the  
41 rental house and had workers back there and removed around 22 trees. He had them all put into  
42 bark. Then the professional office buildings next to the school decided to start parking their cars  
43 there. When they left that spot they came down Fifth Street so they could get out.  
44

45 Ms. Schweickert said I would like to go on record that I would like to be informed of anything  
46 going on with those lots up there when things are happening.  
47

1 Ms. Schweickert said the woman who lives in the rental who has been my neighbor for around 16  
2 years brought this to John's (Omana) attention and code enforcement. Bruce Fleming knew  
3 about it, Gary Schindler knew about it, John Litton has known about it, Mr. Duryea has known  
4 about it. The man spit on the ground at her and told her it was none of her business. Though it  
5 may not be her business, it is my business. There are a few things that Bruce told me on the  
6 phone that said that you guys wouldn't be really interested in this.

7  
8 Ms. Schweickert said I don't know if this man is a U.S. citizen or not; I'm believing he is  
9 Pakistanian. I'm not sure of that but I don't appreciate the way he has been treating everybody on  
10 our road and you guys and the city like this is no big deal. The young lady who reported this has  
11 been evicted from that home within the next day after telling everybody. He was told to remove  
12 the bark which he did. The people are still parking over there. Somebody in the city has told us  
13 that there's nothing you can do about people parking there. Then Gary (Schindler) said today to  
14 the lady that there is really no way to fine him for the removal of these trees because they are not  
15 really sure how big they are. You can pretty much look at the lots and tell what went on there and  
16 how big all those trees were. I have lived on the road for 23 years and it has been empty for that  
17 long so they are at least 23 years old and pretty much over six inches around.

18  
19 Ms. Schweickert said there were people out there on July 4<sup>th</sup> which was a Saturday and they told  
20 us they were taking measurements for the permits that the city was giving them for this lot. They  
21 pulled up in an old pickup truck that had a pool cleaning and screen repair sign on it. We know  
22 how pertinent good engineering is because the building on the Stirling property fell in twice so  
23 these people maybe shouldn't be screen repair people.

24  
25 Ms. Schweickert said we were told this is still being looked into. It has been over a month now  
26 that they have taken the trees down. We asked about paperwork. At first when I asked about  
27 this, Bruce told me I wasn't entitled.

28  
29 Ms. Schweickert said in the past when I wanted safety for my neighborhood with the Stirling  
30 property and I was up here to make sure the cars didn't come through our neighborhood, I also  
31 watched Stirling remove huge trees and he didn't get into any trouble either. I have seen this  
32 happen with quite a few people in the City of Lake Mary and nothing happened to these people. I  
33 was up there just to stop the traffic.

34  
35 Ms. Schweickert said when the ETU's for these roads were set in, we were one of the few small  
36 neighborhoods that paid for our roads and our sidewalks. There are not the wealthiest people in  
37 our neighborhood. We have a lot of older people who live on income that's not very much money  
38 and if they didn't pay their amount of ETU's there were liens put against their homes. This  
39 particular property only paid what a normal household paid. This man purchased this property  
40 around three years ago and had this all turned over. That corner piece of property at Lake Mary  
41 Boulevard and Fifth Street gave up their rights to Fifth Street a long time ago when the paving  
42 went in so this man owns this strip mall and now bought that rental house and that piece of  
43 property and turned part of it commercial and the other part is homesteaded commercial of some  
44 type. I would like to know if there is a way he can open that up for both these parking lots just to  
45 dump their traffic out onto Fifth Street.

46  
47 Mayor Mealor thanked Ms. Schweickert for bringing this to the Commission's attention. There are  
48 a couple of things we can look into. He said he would await any comments the other

1 commissioners may have. He asked Mr. Litton to respond back to this Commission in writing  
2 what is the ingress/egress for the professional office building that is on Lake Mary Boulevard, the  
3 reason being that we have very specific regulations for the other side of the Boulevard in terms of  
4 ingress and egress so we will look into that.

5  
6 Mayor Meador said apparently we are already looking at whether there was an arbor ordinance  
7 violation so we will look into that. Because Ms. Schweickert has identified herself for the public  
8 record, he asked that the response that comes back to the Commission also be sent to her. We  
9 will continue to monitor it.

10  
11 Mayor Meador said one of the problems we have because of the Private Property Rights Act  
12 passed around 1995 is that in many ways it ties the hands of local government in terms of what  
13 we can do related to any private property rights or issues unless it comes before us for a specific  
14 request then we can intervene. However, there may be some earlier decision by the Commission  
15 that restricted what use could take place. We will look into that. He said those decisions were  
16 made in his absence, although he was involved at the state level and tried to remain active with  
17 the City. Those were some decisions that I'm not aware of. For my information as well as  
18 updating the Commission, we will include Ms. Schweickert in that communication.

19  
20 Ms. Schweickert said six years ago I had a Kubota at the house next door to me driving up and  
21 down until 10:00 at night. I called code and they came out and the man had done all this stuff  
22 and had taken down all these trees and a lot of things were going on and he wanted to remodel  
23 his home. He has been under construction for six years starting at 7:00 in the morning. Up until  
24 just recently at 7:00 in the morning a Kubota starts up right at my bedroom window, even though I  
25 am up at 5. He comes back and forth. He's got a footer all the way around the property. I have  
26 an eight-foot high fence in my backyard. A lot of stuff has been going on. I went to a lot of  
27 people at the City and nobody has really stopped anything or done anything. It has been going  
28 on for six years. At 7:00 every single morning there are strangers, large trucks, more stuff. On  
29 Saturday I tried to sit by my pool and I've got a Kubota going on over there and five men  
30 screaming over the engine and I pretty much have not been able to use my back porch to make  
31 my phone calls and drink a cup of coffee in the morning.

32  
33 Ms. Schweickert said she came home today and a construction trailer that are put on construction  
34 sites with their names on it, the man who has bought the house next to us who has been under  
35 real loud construction for six years owns an electrical company and he has one sitting in his  
36 backyard right up against the my fence and I can read the name. I guess he is hiding it.

37  
38 Mayor Meador said he wasn't sure we could do anything; however, we will have Mr. Litton and  
39 staff look into it. One of the things that will be addressed is the setback requirements and those  
40 types of things related to that activity. We will look into it and will respond to both the  
41 Commission and Ms. Schweickert.

42  
43 Ms. Schweickert asked if it was all right to have six years worth of construction.

44  
45 Mayor Meador said he couldn't answer that but they would look into that.

46  
47 No one else came forward and citizen participation was closed.

- 1 X. Reports  
2  
3 A. City Manager  
4  
5 1. Request Commission authorize expenditure from Law Enforcement Trust Fund for  
6 S.W.A.T. Team gas masks in an amount not to exceed \$4,190 and authorize City Manager  
7 to execute associated budget adjustment  
8

9 Mr. Litton said this is a request from the police department to purchase 15 gas masks for the  
10 S.W.A.T. team from the Law Enforcement Trust Fund in the total amount of \$4,190 (\$279.33  
11 apiece). This is for the tactical team that we have on standby.  
12

13 **Motion was made by Commissioner Gray to approve the purchase of 15 gas masks from**  
14 **the Law Enforcement Trust Fund, seconded by Commissioner Lucarelli and motion carried**  
15 **unanimously.**  
16

17 Mr. Litton asked the Commission to authorize him to sign the budget adjustment that transfers  
18 that money.  
19

20 **Amended motion was made by Commissioner Gray to approve the purchase of 15 gas**  
21 **masks from the Law Enforcement Trust Fund and authorize City Manager to execute the**  
22 **associated budget adjustment, seconded by Commissioner Lucarelli and motion carried**  
23 **unanimously.**  
24

- 25 2. Request Commission appoint Marci Kilbourne to the Elder Affairs Commission  
26

27 Mr. Litton said this is a recommendation from the Elder Affairs Commission to appoint Marcie  
28 Kilbourne to an unexpired term on the board. That term would expire December 31, 2010.  
29

30 **Motion was made by Commissioner Duryea to approve the appointment of Marcie**  
31 **Kilbourne to the Elder Affairs Commission, seconded by Commissioner Lucarelli and**  
32 **motion carried unanimously.**  
33

34 Mr. Litton said Progress Energy has petitioned for another rate increase and the Public Service  
35 Commission will be conducting ten service hearings to allow customer feedback about the rate  
36 increase and the proposal. One of those hearings will be held at the Events Center on  
37 Wednesday, July 15h, at 2:00 P.M.  
38

39 Mr. Litton said Progress Energy has more trees to remove on Rinehart and are going to start  
40 those activities the week of July 20<sup>th</sup>. The location is going to primarily be in the Publix, Orange  
41 Bank, school property, and Physician Associates. They have made every effort to contact  
42 representatives of each of those businesses that abut the property.  
43

44 **SIDE 2A**  
45

46 Mr. Litton said it should not take more than a week. We have asked for the number of trees and  
47 for those to be identified but don't have that information yet. We will keep the Commission  
48 informed.

1  
2 Mr. Litton said the Hills of Lake Mary Annual Homeowners' meeting is next Wednesday, July 15<sup>th</sup>,  
3 6:30 P.M. at the Lake Mary Events Center. We will post that meeting.  
4

5 Mr. Litton said beginning July 18<sup>th</sup> the Farmer's Market will start closing at 1:00 P.M. and it opens  
6 at 8:30 A.M. That is basically to accommodate the flow of pedestrian traffic. They feel staying  
7 open any later is not productive.  
8

9 Mr. Litton said we are getting calls on the status of Rinehart Place. For the code enforcement  
10 issues we are doing everything we can. It goes back to what the Mayor mentioned earlier that  
11 there are certain things we can and can't do. We can't go in and do anything to private property.  
12 There is a foreclosure action going on there. The businesses that are already open, which are  
13 ABC and three that want to open as soon as they can, have all taken an interest in this and are  
14 trying to work it out so they can get open and maybe they can finish the infrastructure that  
15 includes paving, parking, etc. We need to get that traffic signal activated. We are doing what we  
16 can without going too far.  
17

18 Mr. Litton said they all received an e-mail from Waste Management that shows that the new  
19 recycling cart program has almost doubled the recycling output citywide. For March, April and  
20 May the recycling went from 188.67 tons to 357.61 tons. That says that people are using the  
21 program.  
22

23 Mr. Litton said we are getting complaints about the stench from the once a week pickup. As the  
24 weather gets hotter more complaints we get. We did this on a trial basis. Waste Management  
25 initially said they would go to a second pickup for garbage for a little less than \$1.00 a month. He  
26 said he would be asking if that is something the Commission would want to consider. That would  
27 be a pass on to the customer and we have tried to be sensitive to the economic situation and not  
28 put any more burden on them than we have. He said he would look for feedback from the  
29 Commission as to what they are hearing from the public.  
30

### 31 B. Mayor

32

33 Mayor Mealor said there have been a significant number of positives that have come out of this  
34 but the one unique situation that we found ourselves in this past week was the holiday weekend  
35 and some neighborhoods with delayed pickup. One thing we might want to do is poll or have  
36 Waste Manage poll some of our residents. Those that communicated with us dealt with the fact  
37 that there was a holiday weekend with increased volume and then the length of time to pickup.  
38 Rather than looking at a blanket two-day-a-week pickup, we may want to look at holidays that fall  
39 at certain times or other gaps. He said he would want to hear from his colleagues about that. It  
40 is an issue for some neighborhoods.  
41

42 Mayor Mealor said it is rare that he gets a lot of instantaneous e-mail or feedback related to  
43 different activities, but this past Friday evening, July 3<sup>rd</sup>, the Red, Rock and Blue celebration  
44 generated a great deal of response from our community and all was positive. He thanked those  
45 who took the time to communicate with him and also Melissa Flippin, Bill Carrico and their team.  
46 It was an incredible evening and amazing family entertainment and the next morning you could  
47 not tell that an activity took place here. That is a compliment to our team and is a job well done.  
48

1 C. Commissioners (3)

2  
3 Commissioner Gray said she attended the Red, Rock and Blue event and it was great.

4  
5 Commissioner Gray said she saw on the fire department report a lot of money still left out there  
6 from where we transport people. She asked if that was owed by insurance companies,  
7 individuals, Medicaid and can we go get this money.

8  
9 Chief Haun said Ms. Sova was working on that in the Finance Department through the collection  
10 process.

11  
12 Commissioner Gray said that was almost \$80,000 from last year.

13  
14 Commissioner Gray said she attended the PBAS meeting and the speaker was from Wachovia  
15 Bank talking about the TARP Fund, why it came about, some of the impacts, why some banks  
16 took the money even though they didn't need it, the payback schedule, etc. and all the strings that  
17 are attached. Next month County Manager Cindy Coto will speak on the new county budget.

18  
19 Commissioner Gray said the Lake Mary Historical Commission, the trains and the antique railroad  
20 exhibit will still be there until the end of July. Admission is free and the hours of operation are  
21 Thursdays, 6:30 P.M. to 8:30 P.M. and Saturdays, 10:00 A.M. to 2:00 P.M. For more information  
22 go to [info@lakemaryhistory.org](mailto:info@lakemaryhistory.org)

23  
24 Commissioner Lucarelli said she hoped everyone had a great Fourth of July. She said her family  
25 missed out on the Fourth all together because we had to go to Georgia for a sudden death of a  
26 friend. It was a very tragic situation.

27  
28 Commissioner Lucarelli said she has had several meetings with Sanford and Oviedo and had  
29 been talking to John Omana and Steve Noto to see how other cities are redeveloping some of  
30 their downtown areas without the use of a CRA or other partnerships, and even funding from  
31 federal grants and just get creative and help you guys out to see what we can do to get the  
32 downtown moving despite the economic mess. She said she was looking forward to the ACI  
33 presentation.

34  
35 Commissioner Lucarelli said she attended the Carlos and Charlie's ribbon cutting and it was a lot  
36 of fun.

37  
38 Commissioner Lucarelli said she is on the Women's Advisory Council at South Seminole Hospital  
39 and we had our GLOW fundraiser at the Wayne Densch auditorium and there was a very good  
40 turnout. We have the ball coming up at Christmas and hope to have a good turnout for that too.  
41 That is for a breast MRI machine. It will be held at the new Weston Hotel.

42  
43 Commissioner Lucarelli said she attended an EDC Economic Summit that was hosted in  
44 partnership with UCF, and Dr. Sean Snaith, Director of UCF Institute for Economic  
45 Competitiveness, was there. She said Dr. Snaith has a great way of explaining things with  
46 humor. It was very enjoyable and enlightening. There were a lot of VIPs and CEOs there and  
47 then they had a question and answer session where we found out how they started their  
48 business, how they got where they are, and how the EDC and the UCF partnerships have helped

1 them. She said she attended their investor reception this morning. There are some realtor-type  
2 investors coming to the area that want to relocate.

3  
4 Commissioner Lucarelli said she attended the Meet and Greet in Winter Springs for the new City  
5 Manager, Kevin Smith, and there was a good turnout.

6  
7 Commissioner Lucarelli thanked all the departments for everything they do for them every day.  
8 They do a lot and she didn't know if we say thank them enough and how much it is appreciated.

9  
10 Commissioner Duryea said he attended the Red, Rock and Blue and it was very nice and a good  
11 time.

12  
13 Commissioner Duryea asked for an update on SunRail.

14  
15 Mr. Omana said we are awaiting the rescheduling of the TAC Committee at which time they  
16 would be updating us on the latest item heard on the news relative to the extension of the CSX  
17 contract and other initiatives by Mr. Dyer. That should be coming up in the next couple of weeks  
18 and we will be prepared to advise you on that.

19  
20 Commissioner Duryea asked what happened to the bypass and did that get cut out of the funding  
21 that we were trying to get.

22  
23 Mr. Omana said the funding we had for the bypass under the T-21 reauthorization specifically  
24 focused on pursuing it as an analysis and study. There are no dollars available for construction.  
25 When we came back to the Commission with HNTB we requested adoption of that document as a  
26 matter of record and should stimulus or other funds become available we will pursue that.

27  
28 Commissioner Duryea said he thought we had applied for some of that because we had some  
29 shovel-ready programs. Mr. Omana said the shovel-ready programs fell under Mr. Paster's  
30 jurisdiction as far as the pavement of certain roadways.

31  
32 Mr. Litton said we had the resurfacing of International Parkway and Rinehart Road. Those are  
33 our two projects.

34  
35 D. City Attorney

36  
37 Ms. Reischmann said she was sure they had all seen the challenge to Senate Bill 360, the growth  
38 management law that's been filed by a number of cities. They are saying it is an unconstitutional  
39 unfunded mandate because of taking away the concurrency requirements and then it violates the  
40 single subject rule. There are so many issues that this law has raised which aren't even in this  
41 lawsuit. She said John Omana has been involved in a committee trying to figure it out just in  
42 terms of the two main issues being renewal of all the permits, whether that's an automatic and  
43 when somebody applies for it they get it. Some cities are asking their commissions to make an  
44 official interpretation of that. She said she and John (Omana) had not talked about that but that's  
45 possibly an option to try and limit that application. The last time she spoke with John (Omana) he  
46 said he hadn't had any applications so we may not be in a situation that we need to get too  
47 worried about it.

1 Ms. Reischmann said also with the fact that the legislation allows ours and so many areas to do  
2 away with transportation concurrency, some people are claiming that's an automatic and that  
3 your concurrency goes away and you have no right to look at transportation concurrency. Others  
4 are suggesting you have to readopt and others are saying that's nonsense and that you still have  
5 what's in your comp plan and code unless you choose to change those. There is a lot of stuff  
6 bubbling around, everybody's talking and everybody has views all over the board so we will see  
7 what happens.

8  
9 Mayor Mealor said it was very important to this community and Central Florida that that be  
10 monitored. He asked the Ms. Reischmann to keep them informed.

11  
12 Mr. Litton said Deputy Chief Colin Morgan will be representing the City in the next Leadership  
13 Seminole class. He volunteered and is looking forward to it. The good news is we will not be  
14 paying for that out of the General Fund but from police training dollars.

15  
16 XI. Adjournment

17  
18 There being no further business, the meeting adjourned at 8:50 P.M.

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20  
21

22 \_\_\_\_\_  
23 David J. Mealor, Mayor

22 \_\_\_\_\_  
23 Mary Campbell, Deputy City Clerk

24  
25  
26

27 ATTEST:

28  
29  
30  
31 \_\_\_\_\_  
32 Carol A. Foster, City Clerk