



LAKE MARY CITY COMMISSION

**Lake Mary City Hall
100 N. Country Club Road**

**Regular Meeting
DRAFT MINUTES
THURSDAY, JANUARY 20, 2022, 7:00 PM**

NO VIDEO RECORDING WAS MADE FOR THIS MEETING

1. Call to Order

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

2. Moment of Silence

3. Pledge of Allegiance

4. Roll Call

David Mealor, Mayor
Jordan Smith, Commissioner
George F. Duryea, Commissioner
Sidney Miller, Deputy Mayor
Justin York, Commissioner
Kevin Smith, City Manager
Steve Noto, Assistant City Manager
Frank Cornier, Fire Chief
Mike Biles, Police Chief
Brent Mason, Finance Director
Bruce Paster, Public Works Director
Bryan Nipe, Parks and Recreation Director
Krystal Clem, Community Development Director
Michelle McCurdy, City Clerk

**CITY COMMISSION
January 20, 2022-1**

Wanda Broadway, Human Resources Manager
Katie Reischmann, City Attorney

5. Approval of Minutes

A. Draft City Commission meeting minutes - January 6, 2022

Commissioner Smith made a motion to approve the Draft City Commission Meeting Minutes of January 6, 2022. Commissioner Duryea seconded the motion, and the motion carried unanimously.

6. Special Presentations

There were no special presentations.

- 7. Citizen Participation - This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda, and public input will be taken when the item is considered.**

Bob Dove, unknown address, came forward to discuss W Lake Mary Avenue from Fourth Street west to the lake. He stated that his property borders the right-of-way on the north, and his neighbor Ray's property on the south. Mr. Dove thanked the City for the upcoming stormwater treatment project at the corner of Fourth and W. Lake Mary Avenue. He stated that they had hoped that the City would relocate the outfall about 100-feet north from Fourth Street to the old York property, where retention would be a possibility.

Mr. Dove stated that he had owned the adjacent property for more than 20-years. On the right-of-way, he installed and designed stormwater retention for his property. It also served the north side of Lake Mary Avenue and has been affected for years. He controlled invasive plants, repaired stormwater outfalls to protect the lake—basically all maintenance for that right-of-way. He said he built his house last year. Part of that project was spending thousands of dollars on building a circular driveway and one capable of supporting his 30-foot boat, which weighs 10,000 pounds. He said this included specific improvements to W. Lake Mary Avenue—he knows he is working on a City street—which included filling, grading, and paving with asphalt millings. He finished adding sprinklers and sod last month.

Mr. Dove said he respects the City's right to do anything they wish with their right-of-way. He said, that when they were in the middle landscaping, they accidentally discovered that the City was planning to convert the street in front of their house to a

stormwater treatment area. He said that some advance notice would have saved him thousands.

Mr. Dove continued by saying that for years they have had a problem with trespassers, theft, trash, and dumping on the right-of-way because it is hidden from street view. He addressed the Mayor and said when we were discussing it, you called this area an "attractive nuisance." He said that we were not allowed to block the access, so for years, they cleaned up trash on a regular basis. It was only after access became limited that the problem was reduced but not eliminated. He said that it is his understanding that the City's stormwater project includes a park, and the public will be encouraged to return. He stated that there is no reason to believe that trespassing, theft, trash, and loud music will not return with them. He does realize that if he calls the police, they will respond, but that requires that we interrupt a peaceful day to call the police. He asked, "Do any of you want to spend your quiet afternoons listening to parties in a park?" At a minimum, we ask that, like Liberty Park, it is fenced and closed at sunset.

He said that when he learned that the stormwater system would be installed in this area, we asked for more information on the proposed scope of work and technology, where a similar system with limited space had been installed. We asked to visit the site and talk to the owner, and we would like to have data on the proposed system performance. Debris and sediment can be removed by installing baffle boxes or other devices without destroying the existing natural area, invading their privacy, restricting access to their property, and eliminating existing retention.

Mayor Mealor thanked Mr. Dove for his input. When this was brought to the Commission's attention, he stated that two things were going on simultaneously. First, the meeting next week about the lake management which is important and what the Commission has directed Staff to do with the improvements to the older area of Lake Mary, which W. Lake Mary Avenue is part of.

Mayor Mealor addressed Mr. Dove and stated that his comments had been taken into consideration. We are looking at having others come in and look to make sure that what we are doing is in our best interest. Baffle boxes, if you talk to the City of Winter Springs, they are probably not the most desirable thing in certain areas; we are aware of that. Mayor Mealor wanted Mr. Dove to know that Commission has directed staff to look at this. He believes that some of the original plans will be scaled back dramatically in terms of some of the concerns that Mr. Dove has. He believes we can accomplish the things that were discussed in May and June. Mayor Mealor believes that at the same time, much of the Downtown improvement areas must take into consideration the runoff and any impact on the lake. He wanted Mr. Dove to know that his comments to the Commission are very timely, and staff will be interacting with him and other interested parties. There is a way to accomplish this and still be respectful of the property owners. He thanked Mr. Dove for his time and input.

Mr. Dove said that he is glad to see the City doing that. He said that nutrient loading has been a problem for that lake for years. He appreciates what the City is doing and looks forward to meeting with staff.

8. Unfinished Business

A. Ordinance No. 1654 - Amending the Code of Ordinances to create Chapter 98 - Emergency Management (Legislative - Public Hearing - Second Reading) (Wendy Niles, Project Manager)

Katie Reischmann, City Attorney, read Ordinance No. 1654 by title only.

Wendy Niles, Deputy Fire Chief, came forward. There was no new information to add to this item.

There were no questions in relation to this item. The item was opened for a public hearing. No one came forward, and the public hearing section was closed. The item was then opened for discussion and motion.

Commissioner York made a motion to approve Ordinance No. 1654 - Amending the Code of Ordinances to create Chapter 98 - Emergency Management. Commissioner Duryea seconded the motion and the motion carried 5-0 by roll-call vote on Second Reading. Commissioner Smith, Yes; Commissioner Duryea, Yes; Deputy Mayor Miller, Yes; Commissioner York, Yes; Mayor Mealor, Yes.

B. 2021-RZ-07, Ordinance No. 1655 - A request to rezone +/- 0.23 acres of property located at 173 E. Wilbur Ave. from R-1A Residential to DC, Downtown Centre. Applicant: David and Maureen Montes (Quasi-Judicial – Public Hearing – Second Reading) (Chris Carson, Project Manager)

Mrs. Reischmann read Ordinance No. 1655 by title only.

Chris Carson, Senior Planner, came forward to present this item. Staff had no additional comments regarding this item.

There were no questions in relation to this item. The item was opened for a public hearing. No one came forward, and the public hearing section was closed. The item was then opened for discussion and motion.

Commissioner Duryea made a motion to approve 2021-RZ-07, Ordinance No. 1655 - A request to rezone +/- 0.23 acres of property located at 173 E. Wilbur Ave. from R-1A Residential to DC, Downtown Centre. Deputy Mayor Miller seconded the motion, and the motion carried 5-0 by roll-call vote. Commissioner Duryea, Yes; Deputy Mayor Miller, Yes; Commissioner York, Yes; Commissioner Smith, Yes; Mayor Mealor, Yes.

9. New Business

**A. Resolution No. 1047 - Interlocal Agreement regarding Opioid Settlement
Regional Funds (Legislative - Public Hearing) (Katie Reischmann, City
Attorney)**

Mrs. Reischmann read Resolution No. 1047, by title only.

Mrs. Reischmann stated that this is an Interlocal Agreement that does not obligate the City to give the County the City's money. What it is doing is allowing the County to become qualified to direct its own regional funds rather than the state. She believes our sister cities have or are going to approve this because it is not asking us to do anything and the county regional funding has to be spent in accordance with the state MOU and what is called the score abatement plan, which is a plan developed regionally in Seminole County, so everything is tied down already and it is just a matter of putting this in place for bureaucratic requirements.

Commissioner Duryea stated that he feels that this is one of the buckets of money where no one knows where it is going to disappear. He asked if the County has any idea about how they are going to use this money to abate the opioid crisis in the County.

Mrs. Reischmann stated that she does not know much about the score abatement plan. Still, she does know that they have one and that the state MOU that we signed, and the County signed has multiple pages that say here is what you can do with your money, and that is all you can do with it. They have to report what they do with it to the state NECA, and of course, we can see where the money goes. We have had input to the score abatement plan, which was comprised of representatives from all over the County.

Commissioner York stated that his understanding is that the City will feel the benefit of the regional funds through County administered programs. At the same time, the City may receive funds through the State fund. He asked if this was correct.

Mrs. Reischmann replied, yes, that is correct.

Commissioner York recommended that we may want to consider utilizing the funds to purchase more Narcan or contribute to the County's existing program.

Kevin Smith replied that it is likely. We are waiting to see if we will receive the funds.

Commissioner York added that it sounds like it is uncertain.

Mrs. Reischmann added that the money would come in over a period of years, and she believes we are anticipating 10-12 thousand dollars per year over several years.

There were no further questions in relation to this item. The item was opened for a public hearing. No one came forward, and the public hearing section was closed. The item was then opened for discussion and motion.

Commissioner York made a motion to approve Resolution No. 1047 - Interlocal Agreement regarding Opioid Settlement Regional Funds. Commissioner Smith seconded the motion, and the motion carried unanimously.

10. Other Items for Commission Action

There were no other items for Commission action.

11. City Manager's Report

A. Items for Approval

No items for approval.

B. Items for Information

a. Monthly Finance Report

The Monthly Finance Report was included in the agenda packet for review.

C. Announcements

No announcements.

12. Mayor and Commissioners Report

A. Mayor Mealor

Mayor Mealor called upon Commissioner Duryea for his report.

B. Commissioner Duryea

No report.

C. Deputy Mayor Miller

He stated that he was contacted regarding the speed table on Washington Avenue. He stated that the resident was looking for an additional speed table to be installed, and he asked about the cost.

Mr. Smith added that at this point in time, our Police Department is conducting a second speed assessment on that corridor after the improvements that we already put in to assess the issue, and we will go from there.

Deputy Mayor Miller replied that if the people want it and it is cost-effective, it is a solution to the speeding issue.

Mr. Smith replied that we would like to continue with the traffic assessment.

Deputy Mayor Miller agreed with that. He then concluded his report.

D. Commissioner York

He stated that back in December, he met with the Mayor of Oviedo. Out of that meeting, we had the idea for a City's Book Club, where each month a book can be selected, and we encourage other officials to read the book and meet at different locations around the county to discuss our thoughts about the book and how it is relevant to our jobs. The first meeting was today at Bobacakes. The book is called "Strong Towns," and had many different threads regarding infrastructure spending and city planning. He said it was a good opportunity to have folks from around the county come to Lake Mary to discuss their thoughts. He also had the opportunity to walk around that area and explain what we are doing with our Downtown improvements. It was a nice opportunity to have folks from around the community come to the city, and they were extremely complimentary.

He then concluded his report.

E. Commissioner Smith

He stated that the Legislative section is underway. He reminded everyone regarding the Monday morning calls with the Florida League of Cities, where they provide updates on various bills.

He attended the Tri-County meeting in Sanford and stated that the new board was installed. He mentioned that Tri-County had some updates to their website and encouraged the Commission to check it out.

Lastly, Lake Mary Little League's opening day is February 19, 2022. He then concluded his report.

13. City Attorney's Report

She briefly reviewed the Business Impact Statement/Senate Bill 280.

14. Adjournment

There being no further business, the meeting adjourned at 7:28 P.M.