



LAKE MARY CITY COMMISSION

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

**Regular Meeting
MINUTES
THURSDAY, FEBRUARY 16, 2023, 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 7:02.

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
Stephen Noto, Assistant City Manager
Michelle McCurdy, City Clerk
Krystal Clem, Community Development Director
Bruce Paster, Public Works Director
Michael Biles, Police Chief
Michael Johansmeyer, Fire Chief

Brent Mason, Finance Director
Allison Marcous, Human Resources Manager
Bryan Nipe, Parks & Recreation Director
Danielle Koury, City Engineer
Sabreena Colbert, City Planner
Tom Rhodes, Network Specialist
Katie Reischmann, City Attorney

5. Approval of Minutes

A. Approval of Draft City Commission Meeting Minutes for February 2, 2023

Commissioner York made a motion to approve the Draft City Commission Meeting Minutes of February 2, 2023. Commissioner Smith seconded the motion, and the motion carried unanimously.

6. Special Presentations

A. Presentation from Lake Mary Little League re: Opening Day (Bryan Nipe, Parks & Recreation Director)

Bryan Nipe, Parks and Recreation Director, came forward to discuss Lake Mary Little League's opening day.

Jon Anderson, President of Lake Mary Little League, came forward and invited everyone to come out to opening day.

B. Proclamation - Bruce Paster, Public Works Director (Kevin Smith, City Manager)

Mayor Mealor called Bruce Paster and his wife forward to present a retirement proclamation to him. Mayor Mealor stated that on behalf of the Commission it's an absolute pleasure to present this proclamation to Mr. Paster for a job well done,

Mr. Paster thanked the Mayor, Commission, and City Manager. He stated that his success in Public Works was due to the support this Commission has shown him. He's worked with a dozen Commissioners in his eighteen years and what has been consistent is their support of staff, and the way they treat each other, as well as the residents. He stated that all of the Directors appreciate their support. It filters down and makes it easier to support their staff.

Mayor Mealor stated that 11A has been moved up on tonight's agenda and will be heard at this time.

11. City Manager's Report

A. Items for Approval

a. Appointment of Public Works Director

Mr. Smith requested that the Commission ratify the City Manager's appointment of Danielle Koury to the position of Public Works Director, effective February 18, 2023.

Mayor Mealor stated when we've had contentious issues, residents have still thanked him for the way Mrs. Koury has handled those issues. He stated that her expertise has prevailed, and he is greatly appreciative.

Deputy Mayor Miller made a motion to ratify the City Manager's appointment of Danielle Koury to the position of Public Works Director, effective February 18, 2023. Commissioner Duryea seconded the motion, and the motion was approved unanimously.

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.

Sylvia Healy, 218 Leslie Lane, came forward and expressed concerns regarding Variance 2022-VA-01. She presented a letter from St. Johns River Water Management District to be added to the public record.

Tom Dees, 142 Wagon Wheel Way, came forward and expressed concerns regarding Variance 2022-VA-01.

Rita Hite, 289 Leslie Lane, came forward and expressed concerns regarding Variance 2022-VA-01.

Tom Aikens, 213 Leslie Lane, came forward and expressed concerns regarding Variance 2022-VA-01.

Barry Revels, 140 Wagon Wheel Way, came forward and expressed concerns regarding Variance 2022-VA-01.

Susan Sherman, 477 Cardinal Oaks Court, came forward and expressed concerns regarding the construction at 435 S. Country Club Road.

Howard King, 445 S. Country Club Road, came forward and expressed concerns regarding the construction at 435 S. Country Club Road.

Bryan Irish, 425 S. Country Club Road, came forward and expressed concerns regarding the construction at 435 S. Country Club Road.

Mayor Mealor stated that the concerns being expressed tonight are some of the exact same concerns had by other residents when Meadow Brooke was initially proposed.

The Commission directed the City Manager to follow-up with Mr. King regarding the questions he brought forward.

No one else came forward, and the citizen participation section was closed.

8. Unfinished Business

A. 2022-RZ-08, Ordinance No. 1679, A request for the Second Amendment to the New Century Planned Unit Development (PUD) for Orlando Health Signage at 380 and 392 Rinehart Rd. Applicant: Mr. Andrew McCown, GAI Consultants, Inc. (Quasi-Judicial – Public Hearing – Second Reading) (Sabreena Colbert, Project Manager)

Katie Reischmann, City Attorney, read Ordinance No. 1679 by title only.

Sabreena Colbert, City Planner, came forward to say staff has no additional comments regarding this item.

Mayor Mealor stated that the discussion from the previous meeting regarding signage has been addressed. He appreciates Orlando Health working with the City and looks forward to this being another contribution to the quality of life in Lake Mary.

There were no questions related to this item. The item was then opened for public hearing. Nobody came forward and the public hearing section was closed.

Commissioner York made a motion to approve Ordinance No. 1679, A request for the Second Amendment to the New Century Planned Unit Development (PUD) for Orlando Health Signage at 380 and 392 Rinehart Rd. Deputy Mayor Miller seconded the motion and the motion carried 5-0 by roll-call vote. Commissioner Smith, Yes; Commissioner Duryea, Yes; Deputy Mayor Miller, Yes; Commissioner York, Yes; Mayor Mealor, Yes.

B. 2022-RZ-10, Ordinance No. 1680, A request for rezoning of +/-2.84 acres of property located at 401 Longwood Lake Mary Rd. from A-1, Agriculture to R-1A, Single Family Residential. Applicant: Ephraim Grubbs, Urban Construction, LLC (Quasi-Judicial – Public Hearing – Second Reading) (Sabreena Colbert, Project Manager)

Katie Reischmann, City Attorney, read Ordinance No. 1680 by title only.

Sabreena Colbert, City Planner, came forward to say staff has no additional comments regarding this item.

There were no questions related to this item. The item was then opened for public hearing. Nobody came forward and the public hearing section was closed.

Commissioner Smith made the motion to approve 2022-RZ-10, Ordinance No. 1680, A request for rezoning of +/-2.84 acres of property located at 401 Longwood Lake Mary Rd. from A-1, Agriculture to R-1A, Single Family Residential. Commissioner Duryea 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 Meador; Yes.

9. New Business

A. Resolution No. 1055 - Amending the Pay and Classification Plan for Police and Fire (Public Hearing) (Kevin Smith, City Manager)

Mr. Smith discussed the information presented in the Staff Report which was included in the agenda packet for review.

He requested that the Commission approve the recommendations and adopt Resolution No. 1055, effective March 4, 2023.

Commissioner York stated he agrees with the recommendation and asked if signing bonuses have been considered.

Mr. Smith stated they have considered a little bit of everything, with related pros and cons. He stated that multiple types of compensation packages have been discussed with both the Fire Chief and the Police Chief. This is what we believe to be in the best interest of recruitment and retention, at this time.

Commissioner York stated to continue doing that. If there is any way to fill those vacancies, it behooves us to fill them.

Mr. Smith stated that all of the vacancies in the Police Department are accounted for. We have new recruits coming in and some already in the academy. This salary adjustment helps to make sure we don't lose those people. We have a plan but something could happen in this extraordinary labor market that negatively affects that plan. It is a very dynamic market, and we are trying to be very fluid in our decision making.

Commissioner York stated he appreciates Mr. Smith looking at this in a holistic and dynamic way because we must think about the long-term consequences of increasing compensation, particularly as it pertains to pensions. If you asked any resident what we should prioritize our taxpayers' dollars for, they would put public safety right at the top of the list. He applauds Mr. Smith and the finance team for making sure we are competitive and would like to ask him to continue to do so.

Mr. Smith stated he agrees and will extrapolate that to the entirety of the employment team. He stated that we have the best team in the business, and must do what we can, within reason, to keep the fine individuals we have, and continue to build, on our team.

Commissioner Duryea stated that he has been in Lake Mary for over forty years, and he can honestly say that he can count the number of complaints on one finger through all of those years in reference to any of our public service employees. They do a great job, and we should be thankful and be commensurate with other people's ideas.

Mayor Mealor thanked Commissioner Duryea for serving on the pension board for so many years.

Commissioner Smith stated he supports this as well. He asked Mr. Smith if he thinks the City is going to need to continually chase this wheel.

Mr. Smith stated he wished he had the answer for that. He struggles with the uncertainty as he tries to project out five, ten, or fifteen years. At this point in time, we are just asking to stay consistent with the market.

The item was opened for a public hearing.

Howard King, 445 S. Country Club Road, came forward and expressed concerns regarding the pay and classification plan of the Police and Fire Departments.

Mr. Smith stated it is an extraordinary market. He's been doing this for a while and the last five – six years are something we have never seen before. In June, Lake Mary had the second highest paid salary in the entire market and a few months later, other agencies outside of our control, made changes placing us near the bottom of the market. We are trying to adapt and adjust to those changes. We are continuously trying to look at the bigger picture and trying to determine other factors that we can do.

Mayor Mealor stated that we employ an incredible team. He thinks Commissioner York's concern that the type of environment, equipment, and resources that we provide our team, in many ways, is part of that overall package. Sometimes when you see a number in isolation it can be misleading. He admires the City Manager and the leadership team for acknowledging this and bringing it forward.

Deputy Mayor Miller stated that the information shared is the starting salary. This is not the salary that every policeman and every fireman earn.

Mr. Smith stated that Deputy Mayor Miller is correct. We have a career path available for our employees to make progressions up through the ranks. When you include benefits on top of that package, it is closer to a \$75,000 or \$80,000 package to start.

Mayor Mealor stated he admires our team and the job that we do. We enjoy the lowest crime rate in the entire region. It is not by accident. It is by design and commitment. We also have the fastest public safety response times.

There were no other questions related to this item and the public hearing section was closed.

Deputy Mayor Miller made a motion to approve the recommendations and adopt Resolution No. 1055, effective March 4, 2023. Commissioner Duryea seconded the motion, and the motion was approved unanimously.

10. Other Items for Commission Action

Mayor Mealor stated that he is aware this meeting has been contentious and there are some upset residents. We have to be aware of the concept of unintended consequences. The issue that Mrs. Sherman and Mr. King spoke to involve a piece of property that was brought forward to us several years ago. They wanted to change the zoning and put a couple of homes on that property. The public response was vocal, loud, and the City heard it. There was no zoning change. The gentleman that owns that property is zoned agriculture by our ordinances. Our staff did exactly what the Florida Supreme Court and the Florida Legislature, by their statutes, say we must do. He knows it is difficult when there are unintended consequences that no one could have imagined what would happen. The City has recognized it, and we are changing it.

11. City Manager's Report

A. Items for Approval

a. Appointment of Public Works Director

THIS ITEM WAS MOVED DIRECTLY AFTER THE SPECIAL PRESENTATION SECTION OF THE AGENDA.

b. Expenditure from Law Enforcement Trust Fund for Donation to A Child is Missing

Mr. Smith discussed the information presented in the Staff Report which was included in the agenda packet for review.

He requested that the Commission authorize a donation of \$800.00 to A Child is Missing, Inc.

Commissioner Duryea made a motion to authorize the donation of \$800.00 to A Child is Missing, Inc. Deputy Mayor Mealor seconded the motion, and the motion was approved unanimously.

B. Items for Information

a. Monthly Finance Report

Mr. Smith stated that everything is trending normally. He thanked the Commission for their support of the adjustments to our public safety division salaries. It is appreciated and will be beneficial to our City.

C. Announcements

12. Mayor and Commissioners Report - 1

A. Appointments/Reappointments to Code Enforcement Board

Mayor Mealor stated that the terms of Richard Schulz and Timothy Vogt on the Code Enforcement Board will expire February 28, 2023. Mr. Schulz and Mr. Vogt have both expressed interest in reappointment. There are other applications. These two gentlemen have served with distinction. They would like to continue. He asked if there were any other nominations other than Mr. Schulz or Mr. Vogt.

Commissioner Duryea made a motion to reappoint Mr. Schulz and Mr. Vogt to the Code Enforcement Board for an additional 3-year term. Deputy Mayor Miller seconded the motion, and the motion carried unanimously.

Mayor Mealor thanked both gentlemen for their service to the City.

B. Commissioner Smith

He thanked the City for hosting the Tri-County League of Cities general membership meeting. The discussion was on ARPA funding. It was a great meeting. Mr. Smith was on the panel, along with the Deputy County Manager from Seminole County, and the City Manager from Oakland. He thanked Michelle McCurdy and Sue Thorne for assisting with the event. He also thanked the Lake Mary Police Department for their assistance during the power outage. They kept the community safe when it could have been hectic. It was pitch-black driving down Country Club Road and Lake Mary Blvd. He congratulated Bruce Paster on his retirement and Danielle Koury on her promotion.

C. Commissioner Duryea

He stated that most people do not realize what Bruce Paster has done for the City in the past eighteen years. He came to a small city with a little water plant. He expanded it,

improved it, did some very, very innovative things, that only one other place in the country has. He did this to ensure that our water supply is safe and adequate for the next twenty years. He is overwhelmed and so grateful for Mr. Paster.

Mayor Meador stated that he would like to echo Commissioner Duryea's comment. Mr. Paster took the dirt roads in Lake Mary and corrected that situation. We have many residents that say thank you every time they don't have to transverse a pothole-filled dirt road.

D. Deputy Mayor Miller

He wanted to echo the comments regarding Mr. Paster. He stated we appreciate you and thank you for your years of service.

E. Commissioner York

He echoed Commissioner Smith, and applauded Mr. Paster for his long years of service for the City. He knows when he joined the Commission a few years ago, Mr. Paster was very helpful in educating him about the water infrastructure. You can't understate the value of having good water infrastructure. It is something people don't think about, but they use it every day for drinking, bathing, and cooking. Water is in the news in other Cities, and he is so glad it's not Lake Mary. He stated he is also happy to welcome Danielle to the position. It's been great to work with her, as she's been a great resource for him in the past. He knows Danielle will serve the residents well and with professionalism.

13. City Attorney's Report

Mrs. Reischmann stated that everyone knows what great work Bruce does. With the water situation, it's been years and years of him protecting the City so zealously and being so insistent and stubborn. Bruce worked constantly to get the best, which we now have.

Mayor Meador thanked her for her expertise. He stated that one of the things etched in his mind for all time is a former water issue and the difficulty that came with it. He and Mr. Paster went down and met with a state senator. They explained the situation. He was reasonably knowledgeable about these areas, and he started to ask some questions. Mayor Meador had never seen a more professional, precise, definition of the problem in what Mr. Paster provided. This is one of the most astute members of the Florida Legislature. He held a leadership position. He was nodding his head, and our concern was making sure we had their support, DEP, and others. Because of that presentation to that state senator, things changed dramatically. Because of his knowledge base and expertise, the residents of Lake Mary have a state-of-the-art water treatment plant. Thank you, Mr. Paster. You've left an incredible legacy.

14. Adjournment

There being no further business, the meeting adjourned at 8:30.

David J. Meador, Mayor

Amber Branton, Deputy City Clerk

ATTEST:

Michelle McCurdy, City Clerk