LAKE MARY CITY COMMISSION

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
MINUTES
THURSDAY, APRIL 6, 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
Michael Biles, Police Chief
Brent Mason, Finance Director
Danielle Koury, Public Works Director
Krystal Clem, Community Development Director
Allison Marcous, Human Resources Manager

Corey Bowles, Assistant Fire Chief
Bryan Nipe, Parks and Recreation Director
Dave Dovan, Assistant Public Works Director
Miguel Conde, City Engineer
Sabreena Colbert, City Planner
Chris Carson, Senior Planner
Tom Rhodes, Network Specialist
Catherine Reischmann, City Attorney

5. Approval of Minutes

A. Approval of Draft City Commission Meeting Minutes for March 16, 2023

Commissioner York made a motion to approve the Draft City Commission Meeting Minutes of March 16, 2023. Deputy Mayor Miller seconded the motion, and the motion carried unanimously.

6. Special Presentations

A. Proclamation - Water Conservation Month

Danielle Koury, Public Works Director, came forward to thank the Mayor and Commission.

Mayor Mealor thanked Mrs. Koury and her team for all of their hard work.

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.

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

8. Unfinished Business

None

9. New Business

A. 2022-FP-06, A request for Final Plat for a 50-lot townhome subdivision on +/- 8.03 acres of property, located within the Lake Mary Wellness & Technology Park, west of Primera Blvd. and east of New Technology Blvd. Applicant: Mr. Ricky Diaz, Weekley Homes, LLC (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)

Sabreena Colbert, City Planner, came forward to discuss the information as presented in the Staff Report, which was included in the agenda packet for review.

Commissioner Duryea asked if this was originally planned this way with the original DRI.

Mrs. Colbert stated that he is correct. There are entitlements for the residential within the DRI, land use and the New Century PUD. They had to convert entitlements for these fifty residential lots. There are no more residential entitlements left within New Century.

The item was then opened for public hearing. Nobody came forward and the public hearing section was closed.

Commissioner Smith made a motion to approve 2022-FP-06, A request for Final Plat for a 50-lot townhome subdivision on +/- 8.03 acres of property, located within the Lake Mary Wellness & Technology Park, west of Primera Blvd. and east of New Technology Blvd with one condition. Commissioner York 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.

Condition: Prior to the recording of the plat, the applicant shall reimburse the City for the costs of the surveyor consultant review and legal review. The costs of recording shall also be passed on to the applicant.

B. 2023-CU-01, A request for Conditional Use for a Pharmacy in the PO, Professional Office zoning district, located in an existing building at 3248 W. Lake Mary Blvd., Suites 1200 and 1210. Applicant: Mrs. Leonie Hylton, St. Ledger Investment, LLC (Quasi-Judicial – Public Hearing) (Chris Carson, Project Manager)

Chris Carson, Senior Planner, came forward to discuss the information as presented in the Staff Report, which was included in the agenda packet for review.

Commissioner Duryea asked if there was any mention of retail for the establishment in the provisions for the approval.

Mr. Carson stated there will be no retail sales at this establishment. It isn't permitted due to the zoning. The applicant intends to operate by appointment only.

Commissioner Duryea stated he was under the impression that there would be no give and take as far as the traffic goes with that particular use.

Mr. Carson stated that there is a customer base, but they focus on shipping and tele-pharmacy. There will be some appointment-based clients, as well.

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 2023-CU-01, A request for Conditional Use for a Pharmacy in the PO, Professional Office zoning district, located in an existing building at 3248 W. Lake Mary Blvd., Suites 1200 and 1210. 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.

C. 2023-ZTA-01, Ordinance No. 1681, A request to modify City Code Chapter 154.09 regarding Beer Gardens. (Public Hearing – Legislative – First Reading) (Chris Carson, Project Manager)

Katie Reischmann, City Attorney, read Ordinance No. 1681 by title only.

Chris Carson, Senior Planner, came forward to discuss the information as presented in the Staff Report, which was included in the agenda packet for review.

Commissioner Duryea asked if this allows someone who just serves beer and wine to have a food truck in the parking lot.

Mr. Carson stated that it would not be in the parking lot. It would have to be on the premises. They are not allowed to block parking spaces or traffic.

Kevin Smith, City Manager, stated that it isn't a traditional food truck. It will be more of a pop-up tent with food services within it.

Mrs. Colbert stated that mobile food vendors do not apply to this code text amendment. It would be specifically for a licensed outdoor food service provider. They could have a grill or fryer on the beer garden patio, meeting all of the distance separations per building, buffers, and fire and life safety. They would have to be licensed and registered through the Business Tax Receipt application process.

Mr. Smith stated that they are only allowed to operate in a very specific location.

Commissioner Smith stated that the Ordinance adopted in 2019 has been successful. It has breathed life into that shopping center and created an identity for that corner. He's glad that we're not doing food trucks there. He was against that when he first heard this Ordinance. He stated doing this food service is a great idea. He stated the hours listed seem odd, and asked if this will change on holidays.

Mr. Carson stated that the reason those limited hours were established is to still encourage the brick-and-mortar businesses already there. This was a stop-gap measure to provide an alternative with economic development, while still encouraging growth and transitioning to a full-scale kitchen.

Mr. Smith stated that the Sunday hours were provided for more of a brunch style approach and was requested by the vendor.

Commissioner Duryea asked if there was a limit on what they can cook and serve.

Mr. Carson stated that they will still have to follow traditional building and fire codes, but the City isn't going to regulate what type of food they serve.

Mrs. Colbert stated that food service is regulated through state licenses and not at the local level. They will be able to serve whatever they are licensed to serve as far as the food. They will have to be located where the City approves them on the beer garden per the DC and the amended text in the code.

Commissioner Smith stated he understands the Monday – Wednesday schedule and asked if any thought has been put into allowing this for holidays.

Mr. Carson stated that at this time it hasn't been discussed, but it is something they can work on later. It was written in this way, as we do expect it to become more open one day.

Mayor Mealor asked if they could come in and request the City to extend the hours for holidays.

Mr. Carson stated that yes, they could, and that could fall under a Special Event permit.

Mr. Smith stated that the hours being articulated are the requested hours from the applicant.

Commissioner York stated that it sounds like they would have to pick a vendor to be their outdoor food provider. He asked if they picked somewhere, such as Dalli's, if they were only allowed to cook food under that outdoor tent.

Mr. Carson stated if Dalli's was selected, then yes. They would have to be at the specific location requested, as part of their Business Tax Receipt.

Commissioner York asked if they would be able to cook in their restaurant if it was closed to the public or if they had to cook in the tent.

Mrs. Colbert stated that would be up to them and their business plan. This is specific to a supplementary accessory food service use on the beer garden patio.

Commissioner York stated that the economic development point is well taken, particularly as to why the hours are circumscribed the way they are. His only thought was whether or not Dalli's could use their kitchen even if they are closed to the public to service their outdoor station at Citrus City.

Mr. Carson stated that yes, they could.

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. 1681, A request to modify City Code Chapter 154.09 regarding Beer Gardens. Commissioner Smith seconded the motion and the motion carried 5-0 by roll-call vote. Deputy Mayor Miller, Yes; Commissioner York, Yes; Commissioner Smith, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.

10. Other Items for Commission Action

11. City Manager's Report

A. Items for Approval

a. Downtown Parking Improvements Bid Award

Kevin Smith, City Manager, came forward to discuss the information as presented in the Staff report, which was included in the agenda packet for review.

Mr. Smith requested Commission authorize himself to approve a Purchase Order to Schuller Contractors Incorporated for the construction of Downtown Parking improvements in the amount of $957,585.45.

Commissioner York stated that he is happy to see this item on the agenda. He asked if locations have already been selected for the parking and sidewalks and whether or not we might see a map before that goes in. He is sure there will be a process to notify local businesses and residents of any imminent construction work.

Mr. Smith stated that the locations have been selected as this has been in the works for many years. Public Works staff have had extensive door-to-door conversations with each of the business owners. He stated that we will provide a map to help with the visualization of the requested improvement.

Commissioner York asked if there were going to be sidewalk improvements on both the East and West sides of Lake Mary Avenue. He recalled a previous meeting where they had approved an item related to a new multifamily development going in off of West Lake Mary Avenue and questioned if those two would be integrated as a product of the improvements.

Mrs. Koury stated that this is just on the East side.

Mr. Smith stated that there are some improvements we are looking forward to at our Stair-Step Park near the Events Center.

Mayor Mealor asked if staff could put together a map with an outline of what this type of parking will look like and bring it forward at the next Commission Meeting under the City Manager's Report section.

Mr. Smith stated yes and apologized for not already having one at this time.

Commissioner Duryea made a motion to authorize Mr. Smith to approve a Purchase Order to Schuller Contractors Incorporated for the construction of Downtown Parking improvements in the amount of $957,585.45. Deputy Mayor Miller seconded the motion, and the motion was approved unanimously.

b. Rinehart Road Intersection Improvements - Striping Refurbishment

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

He requested that Commission authorize himself to execute a Purchase Order to Fausnight Stripe & Line, Incorporated in the amount of $39,402.88.

Commissioner Smith asked if the City is doing the whole intersection at Rinehart and H.E. Thomas Parkway.

Mr. Smith stated that we will stay in the City's jurisdiction.

Mrs. Koury stated that Mr. Smith is correct. We will not be working at the intersection of H.E. Thomas and Rinehart. We would start from Timucuan and go to Crystal Lake Elementary.

Commissioner Smith said he thought the memo said from Crystal Lake to H.E. Thomas.

Mr. Smith stated it did say H.E. Thomas, but with clarification from Mrs. Koury, it would stop at Timucuan.

Deputy Mayor Miller made a motion to authorize Mr. Smith to execute a Purchase Order to Fausnight Stripe & Line, Incorporated in the amount of $39,402.88. Commissioner Duryea seconded the motion, and the motion was approved unanimously.

c. Dump Truck Vehicle Replacements for FY 2023

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

He requested Commission authorize the purchase of the vehicles described in the Staff Report from Ring Power Corporation in the amount of $160,109.78 and to declare vehicle numbers 90 and 567 surplus and authorize himself to dispose of same.

Commissioner Duryea asked if the trucks were used.

Mr. Smith stated that they are new. The dealer had them on the lot. Traditionally the City would order these, and they would be manufactured. We are still experiencing challenges in this unique market.

Mrs. Koury stated they are brand new, never owned, and that the City would be the first owner.

Mayor Mealor thanked Jose Villafane, Fleet Supervisor, for helping procure these vehicles.

Commissioner Smith asked if there is a reason the 2022 models haven't sold.

Mrs. Koury stated there are no issues. Ring Power Corporation is who we are purchasing them from. Like most dealerships they buy a lot and have them sitting there ready to purchase.

Commissioner Duryea made a motion to approve the purchase of vehicles described in the Staff Report from Ring Power Corporation in the amount of $160,109.78 and to declare vehicle numbers 90 and 567 surplus and authorize Mr. Smith to dispose of same. Commissioner Smith seconded the motion, and the motion was approved unanimously.

d. Fire Hydrant Testing

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

Mr. Smith requested Commission approve a change order to the purchase order for HydroMax USA, LLC, based on Seminole County Term Contract IFB-603974-CAR, to increase the total amount of P. O. #23-0040 to $65,000.00, and to authorize City Manager to execute same.

Deputy Mayor Miller made a motion to approve a change order to the purchase order for HydroMax USA, LLC, based on Seminole County Term Contract IFB-603974-CAR, to increase the total amount of P. O. #23-0040 to $65,000.00, and to authorize City Manager to execute same. Commissioner Duryea seconded the motion, and the motion was approved unanimously.

e. Purchase of two (2) Police canines

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

Mr. Smith requested Commission authorize purchase of two police canines from the Law Enforcement Trust Fund in the amount of $22,000 - $26,000.00.

Commissioner York made a motion to authorize purchase of two police canines from the Law Enforcement Trust Fund in the amount of $22,000 - $26,000.00. Commissioner Duryea seconded the motion, and the motion was approved unanimously.

f. Surplus of Fire Department Equipment

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

He requested that Commission declare the referenced equipment surplus and authorize himself to dispose of the same.

Commission approved this item unanimously.

B. Items for Information

C. Announcements

Mr. Smith wanted to remind everyone of the Fire Department Open House on April 15th, beginning at 9:00 am.

12. Mayor and Commissioners Report - 3

A. Mayor Mealor

He recognized and thanked Mr. Steve Noto who has served as the Community Development Director and then as the Assistant City Manager, and Mrs. Krystal Clem who now serves as the Director of Community Development. He stated that these two people provided an incredible service to the City of Lake Mary and our residents. Those in the business community on so many occasions have reached out and complimented those two individuals in different venues and activities. He thinks the City is very fortunate to have that kind of talent. What makes him feel good is that they have set a standard so that those who come in after them have something they can achieve and take it to the next level. On behalf of Lake Mary City Commission, he wants to thank them both for their service to the City and wish them every success.

B. Deputy Mayor Miller

He proposed that the City change the name of the road that Holy Cross Lutheran Church sits on to Paul Hoyer Way in honor of Pastor Paul Hoyer who passed in December. He was extremely active in our community and if you name an organization that serves people, chances are that he was a member or on their board.

Mayor Mealor thanked Deputy Mayor Miller for making that proposal. He stated that Pastor Paul Hoyer had such an impact on this community, particularly for those that are less fortunate or are in need. His fingerprints are on so many of the County's services that reach out. He thinks this is an appropriate request. All of the Commissioners have been out there and realize as Sun Drive bends around that there is a spur. The only facility on that spur is the Holy Cross Lutheran Church. He asked if there was any objection to Deputy Mayor Miller's request. There was none.

Mr. Smith stated that if anything needs to be brought back, we will work out all of the details and report back.

Mayor Mealor asked Mr. Smith and Mrs. Reischmann to work on this and bring it back to Commission.

C. Commissioner York

He thanked Mr. Noto and Mrs. Clem. He worked with them both when he was on the Planning and Zoning Board. They taught him a lot and made his ability to do his job easier. He stated that we are going to be sad to lose them but wished them well.

The 50th Celebration went off without a hitch. It was a great event. He received a lot of positive feedback from residents who came out. It is a model for other events we can do outdoors.

He substituted for Commissioner Smith at the CALNO meeting held in the City of Longwood. They had a presentation from City of Longwood staff regarding South Seminole Hospital being torn down along with a few other adjacent buildings. They envision that it will be repurposed into a mixed-use residential and commercial area with outdoor restaurants, breweries, and shopping. The presentation was very impressive. It will obviously have a big impact on Lake Mary, as all of the operations and staff will be moved from the Longwood hospital to the Lake Mary hospital. He spoke with Vice

Mayor Reece from Altamonte Springs who works for Orlando Health. She had nothing but good things to say about Lake Mary as a partner with Orlando Health. He thinks it is great that our residents will benefit from the state-of-the-art facility. It will generate a lot of growth and is just great to have those services and amenities available for our residents. He was happy to hear from others that Orlando Health enjoys working with our City.

D. Commissioner Smith

He thanked Mrs. Clem and Mr. Noto. They have been a tremendous asset to the City and will be missed.

Thursday, April 20th is the Tri-County League of Cities general membership meeting in Winter Park. If you haven't already done so, please register.

Tuesday, May 19th is the Tri-County League of Cities general membership meeting in Casselberry which will be followed by ethics training.

Celebrate Lake Mary was a wonderful event.

He had the pleasure of joining the Quint push-in ceremony. It was very exciting to participate in a wonderful tradition.

He attended the Sonata ribbon cutting with staff. It is an impressive facility. He stated that they thanked City staff from developing to permitting.

Thank you again for providing the summer camp program for our residents. He registered two of his kids and it was the best registration he's ever been through in that program.

He wished everyone a Happy Easter.

E. Commissioner Duryea

He wished everyone a healthy and Happy Easter.

He applauded Mr. Noto's success, and thanked Mrs. Klem for all she's done for the City.

13. City Attorney's Report

No report.

14. Adjournment

There being no further business, the meeting adjourned at 7:59.