LAKE MARY CITY COMMISSION

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
MINUTES
THURSDAY, JULY 20, 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 PM.

2. Moment of Silence

3. Pledge of Allegiance

4. Roll Call

David Mealor, Mayor
Jordan Smith, Commissioner
George F. Duryea, Commissioner
Justin York, Commissioner
Kevin Smith, City Manager
Michael Biles, Police Chief
Michael Johansmeyer, Fire Chief
Brent Mason, Finance Director
Danielle Koury, Public Works Director
Allison Marcous, Human Resources Director
Sabreena Colbert, Community Development Director
Bryan Nipe, Parks & Recreation Director
Amber Branton, Acting City Clerk
Corey Bowles, Assistant Fire Chief

Dave Dovan, Assistant Public Works Director
Jill Semento, Assistant Parks & Recreation Director
Chris Carson, Senior Planner
Miguel Conde, City Engineer
Tom Rhodes, Network Specialist
Neysa Borkert, City Attorney

5. Approval of Minutes

A. Approval of 6/29/23 Special Called City Commission Meeting Minutes

Commissioner Duryea made a motion to approve the Draft City Commission Meeting Minutes of June 29, 2023. Commissioner Smith seconded the motion, and the motion carried unanimously.

6. Special Presentations

None

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, 154 W Lake Mary Avenue, came forward with concerns of hydrilla, floating mud burps, and tussocks in Crystal Lake.

Mayor Mealor stated that Commission voted Commissioner York to serve as a liaison to the West Crystal Lake Property Owners Association. He has also worked very closely with County Commissioner, Amy Lockhart. This is a critically important item, there are implications that are not just for Crystal Lake but others. The County Commissioner have spoken acclamation of supporting our efforts. He asked if there were any objections for Commissioner York to meet with the City Manager and Mr. Dove to find a solution to the issue.

Commissioner York stated he would be happy to meet with them. He complimented Mr. Dove and the other members of the association as they have been very diligent and proactive to improve the lake as the City and County try to work out a more permanent arrangement.

Kevin Smith, City Manager stated that this is an ongoing effort. It is moving slower than what they would like, due to a variety of circumstances outside of their control. Last week he met with the County Manager. The timeline is unsure but he is confident that the resolution is forthcoming.

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

8. Unfinished Business

A. 2023-LU-01, 2023-LU-02 Ordinance No. 1686, A request for a Small Scale Future Land Use Map Amendment for a +/- 4.88 acre property located at 911 Wallace Ct. and a +/- 1.57 acre property located on the east side of Skyline Dr., north of Emma Oaks Trl. from IND (Industrial) to PUB (Public/Semi Public). Applicant: City of Lake Mary (Legislative – Public Hearing – Second Reading) (Chris Carson, Project Manager)

B. 2023-RZ-04, 2023-RZ-05, Ordinance No. 1687, A request for rezoning for a +/- 4.88 acre property located at 911 Wallace Ct. and a +/- 1.57 acre property located on the east side of Skyline Dr., north of Emma Oaks Trl. from M-1A, Office & Light Industrial to GU, Government Use. Applicant: City of Lake Mary, (Quasi-Judicial – Public Hearing – Second Reading) (Chris Carson, Project Manager)

Items A and B were related and discussed simultaneously. They will be voted on separately.

Neysa Borkert, City Attorney, read Ordinance No. 1686 and 1687 by title only.

Chris Carson, Senior Planner came forward to say staff has no additional comments at this time.

Both items were then opened for public hearing. Nobody came forward and the public hearing section was closed.

Commissioner Smith made a motion to approve Ordinance No. 1686, A request for a Small Scale Future Land Use Map Amendment for a +/- 4.88 acre property located at 911 Wallace Ct. and a +/- 1.57 acre property located on the east side of Skyline Dr., north of Emma Oaks Trl. from IND (Industrial) to PUB (Public/Semi Public). Commissioner Duryea seconded the motion and the motion carried 4-0 by roll-call vote. Commissioner Smith, Yes; Commissioner Duryea, Yes; Commissioner York, Yes; Mayor Mealor, Yes.

Commissioner York made a motion to approve Ordinance No. 1687, A request for rezoning of the +/- 4.88 property located at 911 Wallace Ct. and the +/- 1.57 acre property located on the east side of Skyline Dr., north of Emma Oaks Trl. from M-1A, Office & Light Industrial to GU, Government Use. Commissioner Duryea seconded the motion and the motion carried 4-0 by roll-call vote. Commissioner

Duryea, Yes; Commissioner York, Yes; Commissioner Smith, Yes; Mayor Mealor, Yes.

9. New Business

A. Proposed Fiscal Year 2024 Millage Rate, Rolled Back Rate, and Tentative Budget Hearing (Kevin Smith, City Manager)

Kevin Smith, City Manager, requested Commission establish the proposed operating millage rate at 3.5895 mills for fiscal year 2024, set the rollback rate at 3.3362 mills, and set the first public hearing for September 7, 2023, at 7:00 P.M.

The item was then opened for discussion and motion.

Commissioner Duryea made a motion to establish the proposed operating millage rate at 3.5895 milles for fiscal year 2024, set the rollback rate at 3.3362 milles, and set the first public hearing for September 7, 2023, at 7:00 P.M. Commissioner York seconded the motion, and the motion carried unanimously.

B. Resolution No. 1051 – Electric Service Easements (Danielle Koury, P.E., Public Works Director)

Neysa Borkert, City Attorney, read Resolution No. 1051 by title only.

Danielle Koury, Public Works Director, came forward to discuss the information as presented in the Staff Report, which was included in the agenda packet for review.

Commissioner Smith asked if there are any rights-of-way that will need to be obtained.

Mrs. Koury stated that we are working with various property owners, specifically with First Presbyterian Church and The Shoppes of Lake Mary. The Duke Energy attorneys are working with the 7-Eleven attorneys to assist us with that one.

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

Commissioner Duryea made a motion to approve Resolution No. 1051 - Electric Service Easements. Commissioner Smith seconded the motion, and the motion was approved unanimously.

C. 2023-CU-02, A request for a Conditional Use to operate Community Services in the M-1A, Office and Light Industrial zoning district, located in an existing +/- 3,276 sq. ft. building at 390 Caring Dr., Applicant: Mr. Alhadi Abdul, Rinehart Development & Investment Group, LLC (Quasi-Judicial – Public Hearing) (Chris Carson, Project Manager)

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

Commissioner Duryea asked what's the intention of this space.

Mr. Carson stated there will be no retail, it's more of a recreational facility. The building is vacant, and they would like to make use of it.

No one else came forward and the public hearing section was closed.

Commissioner York made a motion to approve 2023-CU-02, A request for a Conditional Use to operate Community Services in the M-1A, Office and Light Industrial zoning district, located in an existing +/- 3,276 sq. ft. building at 390 Caring Dr. Commissioner Smith seconded the motion, and the motion carried 4-0 by roll-call vote. 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. City Hall Generator Replacement

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

He requested Commission approve a Purchase Order with TAW Power Systems, Inc., in the amount of $129,759.48 and authorize himself to execute same.

Commissioner Duryea made a motion to authorize Mr. Smith to approve a Purchase Order to TAW Power Systems, Inc., in the amount of $129,759.48. Commissioner York seconded the motion, and the motion was approved unanimously.

b. PD Roof Replacement

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

He requested Commission approve a Purchase Order to Tecta America Southeast, LLC in the amount of $212,050.00 and authorize himself to execute same.

Commissioner Duryea made a motion to authorize Mr. Smith to approve a Purchase Order to Tecta America Southeast, LLC in the amount of $212,050.00. Commissioner Smith seconded the motion, and the motion was approved unanimously.

c. Binding Cost Estimate with Duke Energy Florida, LLC for Undergrounding of Powerlines

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

He requested Commission to authorize himself to sign the Underground Conversion Agreement with Duke Energy Florida, LLC in the amount of $1,381,710.37 and the Utility Reimbursement Agreement.

Commissioner Smith stated that during the work session Mrs. Koury had said that it may take about six months. The agreement says eighteen months, he knows that is standard language. He asked when can we expect outages, how long will they be, and how many customers will be impacted during the conversion? He also asked what the other costs are that may be incurred.

Mr. Smith stated that Duke Energy has done this several time before. With their experience hopefully the transition will be seamless.

Mrs. Koury stated that any outages will be for a minimal amount of time. They would be coordinated with customers beforehand so that everyone will be on the same page. The other costs could be the purchasing of easements or additional communication utilities that co-locate on the poles. Since this is a project that we are initiating in our rights-of-way she doesn't think we will have to pay those utilities to also go underground.

Commissioner Duryea asked why Crystal Lake Avenue wasn't included.

Mr. Smith stated that our purpose at this time is to maximize our ARPA dollars. Accordingly, just like the street lighting, we're going along North Country Club. If all goes well, Phase II will get into those areas.

Commission authorized Mr. Smith to sign the Underground Conversion Agreement with Duke Energy Florida, LLC in the amount of $1,381,710.37 and the Utility Reimbursement Agreement. This item was approved unanimously 4-0. Commissioner Smith, Yes; Commissioner Duryea, Yes; Commissioner York, Yes; Mayor Mealor, Yes.

B. Items for Information

a. Monthly Finance Report

Mr. Smith stated the monthly report is included in the packet for your review. Everything is trending normally.

C. Announcements

12. Mayor and Commissioners Report - 2

A. Commissioner Duryea

He commended the Human Resources Director, Allison Marcous, and Mr. Smith for the work they've done with the City's health insurance. There will be no health insurance increase this year. Some of the other cities have an increase as high as 11.75%. The employee clinic is paying off.

Mr. Smith stated that a lot of the credit is due to the employees being good consumers of health care.

B. Commissioner York

He thanked the department heads and everyone that contributed to the final proposed budget document. He also thanked Mr. Smith for his great presentation. He is excited to see a lot of the projects coming along, particularly the downtown improvements. It is going to be exciting to see the things they've discussed become realty. He knows that a lot of the residents are excited as well. It reminds him that they are watching what they are doing even if we don't hear from them all of the time at these meetings. It was also great to see Commissioner Smith, Mr. Nipe, and some other members of staff at the ribbon cutting for the opening of Grafton Street Pub.

C. Commissioner Smith

He stated that when he was first elected, he did a ride along with the Police and Fire Departments. It was a great experience, being able to watch and learn from them. He did another ride along now that we have a new fire chief, battalion chiefs, and lieutenant. It was another great experience. He encouraged everyone at the meeting to reach out and do the same thing.

The Florida League of Cities annual conference is August 10 -12, at Orlando Bonnet Creek. If you want to participate in the Florida League of Cities policy committee the sign-up dates are August 10th and 11th. Today he participated in a planning retreat for the Tri County Florida League of Cities board of directors.

13. City Attorney's Report

No report.

14. Adjournment

There being no further business, the meeting adjourned at 7:34 P.M.