

**REGULAR MEETING  
LAKE HELEN CITY COMMISSION  
February 19, 2009  
7:00 P.M.**

**MINUTES**

**A REGULAR MEETING** of the City Commission of the City of Lake Helen, Florida was called to order by **Mayor Duffy** at approximately 7:00 p.m. Present were **Mayor Duffy, Vice-mayor Snowden, Commissioners Robbins, Burton and Lane.** Also present were **City Attorney Lonnie Groot, City Administrator Don Findell** and **City Clerk Nancy Wilson.**

**CALL TO ORDER:** Mayor Duffy

**INVOCATION AND PLEDGE OF ALLEGIANCE**

*Invocation and Pledge of Allegiance led by Commissioner Vernon Burton.*

**DELETIONS OR MODIFICATIONS TO AGENDA**

*The City Clerk has a request to add an item to the agenda. It will be item 7G which is: Consideration to set a date for a special meeting to adopt an emergency ordinance related to the opting out of the biennial election process.*

**COMMISSION ANNOUNCEMENTS**

*No announcements*

**MINUTES**

*No minutes for this meeting.*

**CONSENT AGENDA**

*Bills – February 19, 2009*

**Commissioner Robbins** questioned the Mainline Supply Company for the Johns Street water plant in the amount of \$2627. She asked if that is part of the SRF loan. **City Administrator Don Findell** answered yes, as far as he knows.. She noted a \$700 charge for ECT for work on the I4 water break - five hours plus travel. She thought that was quite high. “Also, a few meetings ago, I asked about the streetlights at the cemetery, what’s the update on that?” Mr. Findell said we’re waiting on Commission direction as to what they would like to do about those streetlights. “I would like to discuss this in more detail with the Chief of Police; I know he has some reservations about that.” Ricky Mullen said we certainly could turn the lights off. **Commissioner Robbins** then questioned the electric bill at the Youth Center. Last month it was \$359 and this month it’s \$478. **Vice-mayor Snowden** mentioned that there are coolers for the CAC that are attached to the Youth Center but he doesn't know how the building is metered. **Commissioner Robbins** said we should ask Cheryl (Leonard) to split the bill

between the Youth Center and the CAC. She doesn't think it's fair that we pay the whole bill when the CAC is using their meter. **City Administrator Don Findell** asked if it's possible to meter the two parts of the building separately. Keith Chester said possibly (inaudible) . Using an older bill, we could take a percentage of what we think CAC is using and increase it by 25% since that's how much the rate has increased recently. **Commissioner Robbins** said there was a \$350 charge on the bills for a plan review and she asked if that is passed on to the customer? **City Administrator Findell** answered in the affirmative and added that that charge was for multiple plans review. **Commissioner Burton** asked what happened to the police vehicle that cost \$1400 in repairs. **Commissioner Robbins** read off the repairs and what the repairs were for. She then asked Keith Chester about the Orange City vehicles. He said no decision has been made. **City Administrator Findell** asked what the mileage is on those cars and Keith Chester said right around a hundred thousand miles. We'll decide what to do with the cars after we evaluate the fleet and decide what cars would be best to use for certain purposes. **Mr. Findell** said the issue with the cars is not whether they're worthy to keep it's how will they best provide service at the least cost. That's what Keith has to get with Ricky Mullen about. The Commission asked Keith Chester questions regarding the cars but his answers were inaudible.

**Commissioner Burton made a motion** that the bills be accepted as read.  
**Vice-mayor Snowden seconded**

**All zones and the Mayor voted yes.**

## **PRESENTATIONS**

*No presentations for this meeting*

## **BI-MONTHLY REPORTS**

*City Engineer*

No report

*Local Planning Agency (PLDRC)*

No report

*Historic Preservation Board*

Richard Taylor asked the City to advertise for an open volunteer position on the Historic Preservation Board

*Parks and Recreation Board*

Betty O'Laughlin said that the Board didn't have a quorum at their last meeting but they decided to discuss some things anyway. "We have somebody in Lake Helen who is willing to teach yoga at a reduced rate. We also set up a Fourth of July meeting that met last Tuesday night. We need more people to volunteer to help with the Fourth of July planning. We didn't have a quorum so that's all we could do at the meeting.

**PUBLIC FORUM: Yellow Cards** - For any individual wishing to speak to any issue not on the agenda. Comments will be limited to three minutes unless otherwise directed by the City Commission. Person wishing to speak must approach the front podium, give name and address.

*Karen Greer  
493 S. Lakeview Drive*

"I'm the unit director of the Boys and Girls Club. I'm new to Lake Helen. I've been a staff member at the Oak Hill site for eight years. Please visit our afterschool program, it is open from 2pm – 6pm Mondays thru Fridays. We have some events coming up, as they get closer I'll give you some flyers and notices. I have some invitations for Wednesday, it's our annual meeting and our new board of directors will be sworn in. Some of our youth will be recognized - Beth Zingenberg. She's a sixth grader this year and has been a member of the Lake Helen Club since she was seven. She's the outstanding youth at the Lake Helen site. We have about 35 kids coming after school. There's afterschool homework time where the kids can get help. We have a technical center where there are laptops available for projects they may have. Our Smart Moves Program is similar to the DARE program that's taught in public schools. The Smart Moves Program has been around for about 87 years. It's been proven by Columbia University to actually work. It's a character, leadership, health and lifestyles program. It teaches kids about healthy eating, saying no to drugs, dealing with peer pressure. Our Youth and Unity program is a diversity program that teaches kids to be accepting of everyone regardless of their race, disability, religion, gender, etc. Our goal is to teach the kids to be well rounded when they leave our program at age 18. We have sports programs and educational programs. Throughout the school year we mainly focus on education. We try to make learning fun." **Commissioner Burton** asked how many kids attend. Ms. Greer answered, "35 come every day on average. There are 44 registered members this year. **Commissioner Burton** said he recently discussed the viability of the program with the director Joseph Sullivan. Mr. Sullivan said he was considering having just a summer youth program as opposed to a weekly program. Ms. Greer said there won't be a summer program in Lake Helen this year. "We have been here ten years and have always been able to participate but this year, because of budget cuts, we're not able to provide the necessary staff. Last summer we were open from 11am – 6pm and it just wasn't convenient for working parents. In order for us to open up in time, put our best foot forward and help parents, we'd need to hire more staff and we don't have money in the budget to do that. We'll be open for the school year but not for the summer. I don't know if the decision is final or not. If there is a need in Lake Helen we can sometimes get help from sister clubs." **Commissioner Robbins** asked if the children are charged a fee for attending. Ms. Greer said there's a \$30 per month, per child fee and a multi kid discount. Each additional child in a family gets a five dollar discount. We also have scholarships that nine children have taken advantage of. We are a need based organization and we've never turned a child away for the inability to pay. We want all kids to have fun whether their parents have the money or not.

## **PUBLIC HEARINGS**

*No public hearings for this meeting.*

## **COMMISSION CONSIDERATION:**

*Consideration of request by the Parks & Recreation Board to waive the rental fee for Hopkins Hall.*

Betty O'Laughlin said, "Lois Younger, a certified yoga instructor, has said she'll teach yoga at Hopkins Hall for \$5 per student if the rental fee is waived, otherwise, she can't afford to do it. So we're asking for that fee to be waived. The program will be sponsored by the Parks & Rec Board. We thought it would be something nice and affordable for the citizens. This has been done in the past and the fee was waived. "**Commissioner Robbins** asked if one person would be responsible for collecting the money and turning it into City Hall and followed that up with asking if there is any reason that we have to get involved with the money part of it. **Mayor Duffy** said whoever is using the Hall usually comes and gets the key and she could bring the money when she returns it. **Commissioner Robbins** said she thinks the reason why we've collected the money then paid it back to the teacher is so we could maintain control over the cash flow and keep a record of how many people actually participated. She said we should ask the **City Attorney** if there's any reason why we would need to do that instead of just letting her keep the fees. The **City Clerk** said last time yoga was taught, everybody had to sign a liability waiver. Kim Linthicum might be able to provide us with the form. **City Administrator Findell** said that five dollars per person per class is her fee for teaching the class, that's not revenue to the city; does the city wish to charge a fee for the rental facility. Betty O'Laughlin said this isn't a money making endeavor. We just want to do something positive for the community. She could report to Parks & Rec on a monthly basis.

**Commissioner Robbins made a motion** to waive the rental fee for Hopkins Hall thus allowing Lois Younger to teach yoga on a weekly basis and to charge students five dollars a class. She would be responsible for collecting student fees.

**Commissioner Lane** seconded.

**City Administrator Findell** "We're waiving the fee in response to her agreeing to teach the class for five dollars per student. So there is a rational nexus between waving the fee and the reduced fee that's being charged for conducting the class." **City Attorney Groot** said it's a limitation on her to charge no more than five dollars per class. There was a comment that she would report to and be under your committee. That means she's not doing it on her own then. That needs to be made clear. She's a trainer doing something on her own and the waiver just happens to be beneficial to the city because it's encouraging her to conduct a class at a cheaper rate." **City Administrator Findell** said, "The service is being provided in lieu of a service that Parks & Rec does not have the ability to provide." The **City Attorney** said, "Then it's not under the Board. It's being done by an individual who is providing a service to the city. It needs to be made clear that she's not an agent of the city as opposed to just being an individual. She's not an agent of the City in this respect." **City Administrator Findell** asked, "If she was an agent of the City, what would be required?" **Mr. Groot** answered, "For issues relative to liability, the City would be her 'employer' and so the liability would go up. If she's just an individual doing it, she would be on her own. The waiver is a release of the City from any liability that could result from their being at Hopkins Hall and engaging in yoga. Whether she gets her own release from the students is up to her. The release that's important to us is the release of the City from liability." Betty O'Laughlin said she'd get release forms from Kim Linthicum and tell Lois Younger that she needs to get her own release forms if she wants them. **Vice-mayor Snowden** said, "We've had this

discussion before. The City got involved because a private individual was using City facilities for a profit venture. We are giving up the use of the Hall thru Parks & Rec but there is a private individual that reaps the gain from that. There was a fee for the city to cover our expenses (electricity, cleaning, maintenance, etc.). When Hopkins Hall was rehabbed, we wanted it to be used but at the same time we were going to charge for upkeep.” Betty O’Laughlin suggested to the Commission that they tack on \$2. **Mr. Findell** remembered that a portion of the fee charged came back to the city and that’s why we cut her check afterwards. There may have been some concern about an excessive profit being made in the conduct of the activity wherein the City would provide the venue and would bear the costs associated with maintenance of that venue and the individual would reap the benefit of a reduced cost which would allow her profit to be higher based on how many students she had. **Commissioner Robbins** said she doesn’t remember any portion staying with the city. The **City Clerk** added that there was a lady who taught jazzercise. “I think we took money from her because she was charging the going rate. The yoga classes have been taught at such a reduced rates that we didn’t take any money.” **Mayor Duffy** said the question before us is waiving the rental fee. Let’s rule on that and sort the other part out later.

**All zones and the mayor voted yes.**

*Consideration of request by the Parks & Recreation Board to use the Commission Chambers one Saturday a month for “movie night”.*

Betty O’Laughlin said this was one of their newest members ideas - Sean Abshire. “We thought it would be a great way to raise money for the Fourth of July and we would just do it one day a month. Unfortunately, since Sean is only sixteen years old, there would have to be one of the adult members in attendance. Sean would be here too, though. We would ask for a two dollar donation that would go toward the Fourth of July and have movies that are family-friendly. What I would really like to show first are the movies that have been produced here in Lake Helen. I’ll get with Mark Shuttleworth about those movies and find out how to get them. It’s worth a try and it may turn out to be a fun thing. Neighbors might just get acquainted with their neighbors. We haven’t set a date.” **Commissioner Burton** asked how the movies would be projected. The **City Administrator** explained use of the audio/video system. **Vice-mayor Snowden** suggested that they have one individual responsible for the audio/visual because they’re not a lot of people who are familiar with the system and there are about thirty buttons over there to get involved with. From time to time they get out of sync and it creates problems for everybody. We could have one person designated to run the equipment and be fully trained in that system. That would be a big help. Betty O’Laughlin said Shawn could be designated as the equipment operator and there would be an adult on site to oversee the event.

**Commissioner Burton made a motion** to approve use of the Commission Chambers for family movie night

**Commissioner Robbins seconded**

**All zones and the Mayor voted yes**

*Consideration of request by the West Volusia Saddle Club in conjunction with the City of Lake Helen to host Equifest 2010 in March 2010.*

Betty O'Laughlin thinks the Saddle Club can handle this event in 2010. She said, "when it was cancelled this year, there were a lot of disappointed people especially horse people. Most of the work last year was performed by the Saddle Club anyway. We might not have it on the same scale but we would have vendors, shows and events with the vendor fees going to the city. We would also have food vendors. I e-mailed Judy and she's giving us a list of all the vendors and participants. The Saddle Club would take care of the horse part and it would be set up like it was last year. They did charge \$10 a head and we feel that \$5 a head would be more appropriate. We'll put together a committee, including the Saddle Club and Parks & Rec, to figure out the details. If we broke even we would still be ahead of the game but I think we can make money. My goal is for that property to get to the point where it maintains itself. The Saddle Club is putting our own money into it. We're very proud of the facility. I'm working on the arena right now and Mike Athey is helping me. He's been helping me since the beginning. We had a very successful event this past Sunday and if we had more stalls we would've made more money. If we raise more money we could put more stalls out there. We've gotten a lot of compliments about our club and we have a good reputation. Somebody even said "Lake Helen knows how to put on a great show". The Deland Art Museum will not be at all involved. They've stepped down. **Vice-mayor Snowden** asked if the 'partnering' aspect of this is just that the city goes along with the plan? You're not asking for any money? Ms. O'Laughlin said, "We are not asking for any money. We're going to ask people to bring portable stalls. The city would have to sign on the dotted line if we needed to rent any stalls but you would get that money back from the stall fees we'd collect. I don't anticipate it being a cost to the city. We had about a third more people last year than we did the year before. We would need the city to do the same thing this time as they did last time like putting up tents, etc. Vendors supply their own tents. Rick Mullen has the tents and says they're easy to put up if necessary. **Vice-mayor Snowden** said, "We need to support and create activities so that facility is used. That's the only way we're going to be able to make use of it is to encourage participation and activities."

**Vice-mayor Snowden made a motion** to partner with the Saddle Club and the concept of establishing this Equifest event in 2010

**Commissioner Burton seconded**

**All zones and the Mayor voted yes**

*Consideration of request by the West Volusia Saddle Club to expand the main arena at the Lake Helen Equestrian Center.*

Betty O'Laughlin said this is not something that's going to happen anytime soon. There is no money. We do have other things we're finishing up at the arena. We still have the lighting, the wash rack and the booth to finish. We would like permission at some point to extend the arena. We want to go 25 feet wider and 25 feet longer. This size would bring it up to the measurements it should have been originally. The Saddle Club would do this and there might be a little grant money. I'm not even going to say we'll start this year unless things start going well with the Saddle Club. We just want to know if the

City would be open to us doing that. We know we would have to come back and give you plans before we did anything. All we want tonight is permission to, sometime in the future, expand the Arena. Ms. O'Laughlin said we're not asking for any funding now or later. She was asked if there's room to do this. She answered that some trees may need to be moved. **Vice-mayor Snowden** said that was his concern, there are donated trees there that we don't want to move. She said they could probably do it without moving or disrupting the trees. **Commissioner Burton** asked what kind of events they are looking to do that require a bigger arena? She said "mounted shooting and APH (Big Barrel Clubs). These are usually conducted by the bigger clubs, they bring in bigger events and larger fees." **Commissioner Burton** asked if these events are already scheduled. The answer is no, only practice events occur at the Equestrian Center now. Then he asked if we were regulation size, would we be on the list as a site where these events are held? Ms. O'Laughlin answered yes and said these events usually take place every month. **Vice-mayor Snowden** explained that with the mounted shooting, they use sawdust, not a projectile. He then said, "I'm not opposed to anything that the Saddle Club tries to present I want to make that clear. I get criticized for being down on the Saddle Club but I'm not. The City relied heavily on the Saddle Club's input when it was built and it was built on the standard suggested by our West Volusia Saddle Club. We did it to certain stringent requirements at a considerable expense. If we expand the facility, I want to make sure it's done to those same standards." Betty O'Laughlin assured him the quality of work would be the same high quality. **Vice-mayor Snowden** then asked for a timeline or a conceptual plan. Ms. O'Laughlin said she can't give him that because it's too early in the planning. All she's asking is if this is something the Commission would consider allowing them to do. **City Administrator Findell** said that all she's asking is if the Commission will give her conceptual approval to do this. They have to do a whole design so all this is, is a conceptual request. **Vice-mayor Snowden** asked if the agreement with the Saddle Club covers this sort of thing. He suggested that maybe the Commission could review this because it would help us through this process. **Commissioner Robbins made a motion** to table this until Mr. Findell and Ms. O'Laughlin have a chance to go over the agreement and possibly put it on the agenda at a later date since they won't be starting on it anytime soon. **City Administrator Findell** said this won't affect the agreement. "Perhaps what **Commissioner Snowden** was suggesting is that we refresh our memories as to what the agreement says. One of the principal responsibilities in that agreement is that the Saddle Club will provide us each year with a list of dates that they'll be using the facility. That allows us to schedule the use of that facility for their exclusive use. Our obligation is to kind of give them first use of the facility if we have sufficient notice of those dates. There are some ancillary things in there that have to do with maintenance." **Vice-mayor Snowden** said we all need to get on the same page, a lot of things have changed and we need to refresh our memories. Conceptually I agree with what Ms. O'Laughlin wants to do." Ms. O'Laughlin said, "The real winner here is the City because they will reap the benefits from an expansion of the arena. That's all I'm asking, is for the Commission to be open to an expansion. Ultimately, it would make money for the city. My goal is to reach the point where that facility is self-sustaining."

There was no second for the motion to table this item.

**Vice Mayor Snowden made a motion** that the city agree in concept with Betty O’Laughlin's request that they explore the possibility of expanding that facility at some time, specifically the arena

**Commissioner Robbins seconded**

**All zones and the Mayor voted yes.**

Ms. O’Laughlin asked if she could put up some direction signs for a show the Saddle Club is having this Sunday. “We want to let people know where the show is. Signs would be located on Ohio/Prevatt, Lakeview/Main and the I4 exits. I would put them up in the morning and take them down that afternoon just so people can find the Arena.”

**City Administrator Findell** said we can approve this in an ad hoc fashion. He would recommend that she be allowed to do this, she's responsible and we've done it for others in the past. We will put it on the agenda for other events.

**Commissioner Robbins made a motion** to allow Ms. O’Laughlin to put up 4 signs for a Sunday, March 22<sup>nd</sup> event at the arena.

**Commissioner Burton** seconded

**All zones and the Mayor voted yes.**

*Consideration of Interstate 4 maintenance plan.*

**City Administrator Findell** said he had indicated at a previous meeting the he was meeting with and having discussions with DOT representatives regarding the I4 landscape plan and the maintenance plan associated with that. The purpose of those discussions was to see if we could reach some common ground that would allow us to reduce the maintenance responsibilities associated with that project because the maintenance responsibilities would be substantial in concert with the typical DOT maintenance agreement. The other purpose was to see if there was a way that we could reduce the type and magnitude of the plantings as well so that we could have the opportunity to repopulate the vegetation in a natural fashion rather than in a formal fashion which had previously been proposed. “I believe the discussions I had were successful. DOT and I have a really good working relationship. As it relates to this particular project I feel they have a very strong desire to implement the project and they perhaps really listened more than I have experienced with DOT of the past. In our discussions I ask DOT to consider reducing maintenance responsibilities, number one by eliminating the understory plants in that landscaping plan. I wanted them to focus on trees. What was removed were trees and understory that had grown up naturally - that's what we had. That's what we would like to re-create. I also requested and this was equally important, that they consider revising the maintenance plan itself from the traditional DOT very structured maintenance plan to one that was a little more liberal and one that recognized that what we were requesting was that the landscaping re-create that natural vegetation look rather than a formal vegetation look. That would in turn reduce maintenance responsibilities as well. After some discussion they were very amenable to it. The landscape architect said that she would go back and revise the maintenance plan accordingly and send me a copy based on what we had discussed. She also indicated that they would have to run that through DOT operations people

because they would have to approve it since it was a nontraditional plan. She revised the plan and subsequently it went thru DOT operations and they approved it. I provided a copy of the revised maintenance plan and the original maintenance plan. When you look at that, you'll see the original plan was very structured and the revised plan is much less structured. When you compare the two maintenance plans you will see that the mowing and edging requirements that were in the original plan were eliminated in the revised plan as were the fertilization and tree pruning requirements. Mulching was reduced to an as needed basis rather than having a very structured mulching maintenance schedule as well. As a result of that, I came to the conclusion that we had a plan that we could live with. That plan would provide for the desired re-vegetation and it would also not create an undue maintenance burden. I subsequently had the opportunity to discuss the plan with Rick Mullen to see if he had any issues with it or whether he felt that it was doable. Rick felt it was doable. We are recommending that the City approve the maintenance plan. If the City Commission approves the maintenance plan then DOT will revise the landscape plan documents, formalize the maintenance plan as part of the maintenance agreement that we would also sign then at a subsequent meeting we would consider a resolution to enter into that maintenance agreement with DOT."

**Commissioner Robbins** asked, "Is this going to reduce it from \$850,000 to \$250,000?"

**City Administrator Findell** answered, "No, because most of the effort is in the planting of trees out there. The understory plants were there really to create something that was between a natural vegetative landscape and a formal vegetative landscape so the purpose was to give some form to the landscape and to provide immediate understory. The problem with that is that if you did that, you would have the responsibility of maintaining those understory plantings once the contractor was out of the picture after the first year. The understory plantings were really where the burden was with ongoing maintenance. The trees themselves, all the trees that were initially proposed, would still be in the plan and maybe some additional trees will be planted in lieu of the understory. And it may be that some additional trees are planted in lieu of the understory so that the trees have an even tighter pattern than they do now. The idea is that the trees would grow up naturally and the understory would re-vegetate itself in a natural way. The important aspect of that is that rather than having to mow around all those trees and go around all the understory plants, as was originally anticipated, the trees actually become part of the no mow zone. The mow zone is 10 feet outside the trees and of course DOT maintains the traditional mowing areas. It's a substantial reduction in maintenance responsibilities. We would have the responsibility of still maintaining the trees in an upright condition. The trees are planted and staked by the contractor for the most part and would stay that way naturally but in some event, some weather event, that may not be the case after the first year. We would have the obligation of righting the trees.

**Mayor Duffy** said that it looked like we would have more trees than the original plan.

**City Administrator Findell** agreed and said that's the goal. **Commissioner Robbins** asked, "Aside from the interchange areas, would there be any areas farther north planted where they clear cut so much?" **Mr. Findell** answered that the area farther north has nothing to do with the maintenance plan which is entirely DOT's obligation. Regardless of whether we do this part of it or not they still have said that they are going to plant trees north of the interchange anyway. **Commissioner Robbins** asked, "Is there no correlation with Volusia County as far as asking them for help as far as working

with us?” **Mr. Findell** said, “There’s not a requirement for a tri-party agreement but I will tell you that I’ll continue to have these discussions with Volusia County and I will continue to seek their assistance. Our working relationship with Volusia County has been very good over the years and when we have the opportunity to sit down and talk about the maintenance plan in the context that we’re talking about it tonight and they have the opportunity to evaluate that, I think they’ll take a different approach. It may not happen in the next few weeks but I think it will occur. This new plan addresses the concerns that their staff had indicated as well.”

**Commissioner Burton made a motion** that the revised maintenance plan with DOT be accepted

**Vice-mayor Snowden seconded**

**All zones and the Mayor voted yes.**

**Mayor Duffy** said that our **City Administrator** has worked very hard to secure this landscape agreement and maintenance plan. Negotiating with DOT can be very difficult.

*Consideration of purchase of new financial management software.*

Cheryl Leonard said that we are in dire need of software. “When I first started with the City, I thought the software we had wasn’t appropriate for the city, it’s too spread out and requires a lot of double entry work. I started looking at other financial software packages out there but because of the cost I didn’t pursue it further. Because of our financial situation I didn’t want to approach the Commission. When it got to the point where we needed some assistance with the current software I found out that our license had expired and that we were really behind in where we should be. The database that we are using has been upgraded to something other than what it was. The software version that we’re using is unsupported. We’re using version 7.0 and it’s up to version 10 now. I got an estimate from a Microsoft partner about what it would cost to get us up to date and when I was given the price to upgrade, I revisited the software proposals that I’d sought before. The cost to upgrade what we had and the cost of a new software package was so close that I thought it would be more beneficial to buy the new software because it would be more appropriate for a municipality. Fund accounting is made for municipalities and it’s not as expensive as Microsoft. Microsoft sells very expensive products. Dynamics Great Plains is one of the most expensive software packages on the market. I basically arranged the request around their proposal which included just the basic software. For the basic software it’s a minimum package and the options include fixed asset modules. I’ve enclosed copies of the proposals.” **Mayor Duffy** said “I don’t want to bring up old wounds but it would certainly help with our audit reports over last year’s. Everything would be up to date.” Ms. Leonard continued, “Another thing is that there’s a low estimate and a high estimate which doesn’t include the services to merge the databases which is a major part of the problem of keeping track of our finances. Everything is kept in a separate database so it’s double the work. It’s critical to have everything in one database to be able to do accurate financial reporting. I could actually produce reports that aren’t easy for me to produce now. When the consultant came down he estimated that it would take four hours to spend with me that

day. He ended up being here for eight hours (he only charged us for four). The basic package of \$33,696 includes database software that we would need: general ledger, payroll, budgeting, utility billing, purchase requisition, accounts payable, point of sale cash receipts, accounts receivable and the services to train, install and configure.

**Commissioner Robbins** asked, "So everything that's in there now, if we were to purchase the new Harris MainStreet, could be converted over to the new software? Ms. Leonard answered, "This does not include the cost of data conversion. That is very expensive and it would be better if I set the system up from scratch. It would serve two purposes - it would cut down on the cost and it would also be training for me. I would know the software inside and out. It would take a lot of time on my part but it would get me to a place where I need to be." **Commissioner Robbins** said she knows the magnitude of the work and has said for a very long time that the magnitude of the work is far beyond what one person can do. If we were to go with this package, I think once it was implemented it would make things a lot more simple. I have a general feel for what it would be and I think it's got many modules that we could use in other applications. Ms. Leonard said that's another big bonus is that it has utility billing software that's integrated. Our utility billing software is not integrated, it's a standalone package with several shortcomings. She explained the process of using our utility billing software and that it doesn't have any audit trail and requires a lot of manual bookkeeping and duplicated effort. **Commissioner Robbins** added that she had two computers when she worked for the City, one set up for general ledger and one set up for utility. If I had reports that I was running for the utility fund I could go ahead and run those while I was doing something else with the general ledger. Now it's all on one computer. Sharon Hull has the utility billing on hers as well so she can look up bills and help with some bookkeeping tasks. Ms. Leonard said another feature that Harris MainStreet has that would benefit us is that it automatically comes with a three user license. "Without having to pay for it, Sharon would have a license that would allow her to help me with data entry and other bookkeeping tasks that would free me to do actual accounting work." **Commissioner Burton** asked what it would cost to renew the license we have now. Ms. Leonard answered that the license itself is \$1889 and to add a second license is \$2655. That excludes the utility billing software. "However, we can't physically renew the license because the software we're using is unsupported and outdated. The database software that it's running on is outdated and unsupported. In fact, you can't even purchase it. She added that the cost to stay with what we have at the low end would be \$29,290 and that would not include merging the databases into a fund accounting type of software for municipalities. That's the low end. **Commissioner Burton** asked if this would improve the ability to prevent fraud and provide updated security. Ms. Leonard answered in the affirmative. **Commissioner Burton** said, "We just need to be here I feel. **Commissioner Lane** asked if she could tell him about some of the research she did to get to this point. "What else have you looked at?" She answered that she'd reviewed demonstrations over the Internet called webinars and reviewed other software packages. There is one other that she thought was competitive both in price and in product (as far as how it worked and its function) for municipal governments. However, it did not have utility billing capability and didn't have a few of the other modules that we have now so it would've cost considerably more to go with that company. The other product I reviewed was in the same cost range but it was the type of software that our auditor advised us not to purchase because it permits

transactions to be deleted which would mean there is no audit trail. You shouldn't be able to delete transactions. There were two other products that she inquired about but they just didn't fit the bill. She said in her previous job they were looking to buy new software and the price we've been quoted is at the low end of what we were quoted back then. "I was very impressed with how Harris MainStreet works. I spoke to Debary's finance manager and he's very satisfied with the product. There are 12 other municipalities in Florida that use the software as well." **Commissioner Burton** asked if Harris is going to be upgrading again soon. Ms. Leonard answered that software is constantly being upgraded but that's why we buy a license so we get all those upgrades automatically. The license itself is what includes upgrades.

**Commissioner Robbins** said, "In the beginning with Great Plains it was not always necessary to go to the next level, you could get by for a year or two and then they'd say it's unsupported now so you're going to have to upgrade. We went from version 3 to version 5 and just before I left we went to version 7. Janet (Dunn) had worked with Great Plains for years so she felt she didn't need to have the added support and didn't bother getting it. Then when Cheryl got here she found out that we were unsupported and the software wasn't functioning the way we needed it to." **Commissioner Burton** asked how we are going to pay for it; was this figured into our budget. The **City Administrator** said this would have to come out of the City reserves. Once we know what the annual support cost is it would be worked into the budget. If you knew what the upgrade cycle is going to be you would plan for that in your budget as well. **Vice-mayor Snowden** said we really don't have any alternative but to go in this direction. It's going to cost us one way or the other and there doesn't seem to be any point in working with this old software. I'm relying on the expertise of Ms. Leonard and **Commissioner Robbins** to help us make this decision. I think it's prudent that we continue our move into the 21<sup>st</sup> century. **Commissioner Lane** asked if Harris MainStreet is the producer of the software. Ms. Leonard answered that Harris purchased MainStreet; Harris has a lot of software products and they are a large, international company that's stable so we're not likely to see them go away. MainStreet is an ideal package for municipalities which is why Harris bought them. **Commissioner Robbins** discussed the history of the City's use of Great Plains and software products in general. **Commissioner Lane** asked how quickly she wants to purchase the software. Ms. Leonard answered that the quote is good until the end of February. **City Administrator Findell** pointed out that's not why we would purchase this software. "I don't want you to think that this has been brought to you with that timeline and you are being forced to make a quick decision. The decision needs to be made not because of a discount that's being offered but because Cheryl (Leonard) needs to operate effectively and efficiently and needs this software to run the City's accounting processes. **Commissioner Lane** asked if our current software is functional and how we are going to handle the old data. Ms. Leonard said we would have to move ending balances forward. We would still need to access that data. **Mayor Duffy** said that Cheryl (Leonard) has worked many nights trying to make sense of our current software.

**Commissioner Lane made a motion** to authorize purchase of Harris MainStreet software as recommended by the Finance Manager.

**Commissioner Burton seconded**

**Commissioner Robbins** said before she votes on this she wants to know where we're going to get the money. **Mr. Findell** said it will come out of undesignated reserves. We know from our last audit report that there is about \$550,000 in reserves. He said there's \$350,000 in Tallahassee that's in the general trust fund, the old electric utility money. He said that's a separate amount from the \$549,000.

#### **All zones and the Mayor voted yes**

**Commissioner Robbins** said she'd like to comment that she values Cheryl's tenacity. She's forging ahead and she deserves a lot of credit for taking the initiative to do this. **Commissioner Lane** had one more question. "Once you get started in the implementation of this, you'll be in a very deep pond for a while. Please let us know if there's anything we can do. **City Administrator Findell** said, "As a final note, this is an example of the process that we go through before we make a recommendation to the City Commission. Cheryl (Leonard) started on this several months ago. She vetted more than one package. She was persistent enough to keep working at it until finally we got to a point where we could recommend something that she was satisfied with. The cost, although high, was significantly less than it could have been over the alternatives. I hope the Commission appreciates that." **Commissioner Robbins** added that one very important thing to note is that the utility billing is included in this package. **Mayor Duffy** said the City is also very fortunate to have Sharon Hull who has banking experience and who is helping Cheryl (Leonard) quite a bit.

*Consideration to establish a special meeting opting out of the biennial election process.*

**Mayor Duffy** said that since we are continuing with yearly elections we have to opt out, by ordinance, of Chapter 95-462 per the Supervisor of Elections. Our ordinance needs to be to the Supervisor of Elections by March 1<sup>st</sup> so we will adopt an emergency ordinance followed by the normal process of ordinance adoption. **Mr. Findell** said the reason it has to be an emergency ordinance is because the ordinance has to be to the Supervisor of Elections by March 1<sup>st</sup> and we don't have time for it to go through the traditional route so we would adopt an emergency ordinance and then follow it up with adoption of the ordinance in a traditional fashion.

**Commissioner Robbins** made a motion that we hold a special meeting opting out of Chapter 95-462 allowing for biennial elections.

**City Attorney Groot** said we need to make sure that at least four people will be there since it's an emergency ordinance.

It was decided to hold the special meeting at one o'clock on Thursday, February 26<sup>th</sup>.

**Commissioner Robbins** amended her motion to read that the Commission meet on February 26<sup>th</sup> at 1 p.m. to opt out of the biennial election process

**Vice-mayor Snowden seconded.**

**All zones and the Mayor voted yes.**

## COMMISSION DISCUSSION

*No discussions for this meeting.*

## STAFF REPORTS

### *City Attorney*

I'm proud to be the City Attorney for Lake Helen and I love being introduced that way. Sometimes you might see me quoted, however, because I am a resident of Deltona. When I talk to people as a citizen of Deltona I don't say that I'm the City Attorney of Lake Helen. That just comes. I don't announce that and I don't make it part of my comments. I'm proud to be the City Attorney here. **Vice-mayor Snowden** said we're proud of you and we're glad you stand your ground and speak out for the people in Deltona.

### *Police Chief*

"I've been working on the grant. There've been struggles getting information and it's not Cheryl's fault it's the software's fault. She needs that software desperately to save time ultimately for everybody. She'll be able to produce the information we need when we need it. Through this grant process if we'd had the new software, it would've been a lot easier. Another issue is the Café is running a deficit and the new software would have helped us to know where we stood. We're doing some regrouping next week. We're trying to figure out what's the best direction to go to bring this back up into a profitable situation. I haven't been able to get with **Commissioner Burton** yet but my preliminary cost estimate for the COP program is around \$5,000 for startup. This includes uniforms, gas and maintenance for the vehicles. Averaging it out to the amount of shifts they would have, I think it would cost around \$5,000/year." **Commissioner Robbins** asked if he was applying for a grant for that. He said there aren't grants for that kind of thing. The grant he's working on is the annual teen program grant that was due the next day.

### *City Administrator*

He updated the Commission on issues related to the stimulus package coming out of Washington. "I've indicated at the previous meeting my concerns about the way the legislation was being crafted which pretty much echoes the concerns many administrators have regarding the way the legislation was crafted and that was simply that the legislation was geared toward moving money through conventional sources and to move money through those conventional sources largely in accordance with the guidelines for distribution of money through those sources. The problem with that is a twofold. It generally takes a longer amount of time to move the money through the sources under the guidelines that are in place to distribute money. Secondly, in those particular instances, money is most often distributed to larger scale projects as opposed to what we would consider local projects. When I prepared the Lake Helen stimulus package to give to the county to pass on to our legislators, most everything on that list was a local project. The idea was to benefit the City by doing capital improvement projects that we did not have money to do ourselves. The lack of money precludes us from doing them. This is no different from any other city when they submitted their stimulus package. The other idea was to stimulate the local economy by distributing that money locally. The only way that was going to happen is if the traditional process was bypassed and money was distributed directly to the local government. Obviously

that didn't happen. So in working our way through the process of dealing with, (for example, transportation related projects like sidewalks, bike paths, resurfacing, road construction and those types of activities) the funding sources from the Federal Highway Administration through to the DOT through to the MPO and the process that is used to determine who gets what is how well it meets the criteria established by the Federal Highway Administration. In this particular instance, out of all the projects that we had, those projects that were largely eligible were those projects that were on either state or county roads. Basically what that means is that it has to be on a Federal Highway Administration aid road. In Lake Helen, we have three or four. Prevatt, County Road 4139 as it winds through the city, Main Street and some other small segment of road in Lake Helen. The project that we included on our list that met that criteria was the resurfacing of the County Road 4139. That particular project has been ranked by the MPO as a project to be forwarded to the DOT. It is one of the eligible projects. It's one of the projects that's been ranked by the MPO technical coordinating committee to the MPO board to approve to send to DOT. We had a number of enhancement projects that were sidewalk related and those projects were replacement of the Main Street sidewalk, replacement of the sidewalk on Lakeview and the construction of a sidewalk on Main Street that would link up with the trail going to Arvida. Those projects are included in the list "B" projects that the MPO staff has recommended to the MPO board to forward to DOT. Those are projects that are not likely to be funded unless additional money comes down the pike because the list "A" projects are projects that have previously been in the MPO planning process. They are much larger projects and more regional in nature. That's where we are as far as the stimulus package is concerned. I can tell you we spent the better part of three weeks working through this process.

Secondly, I want to bring to your attention that we received the Lake Pearl Drive traffic study from the County. As you'll remember, we asked the county to reevaluate the previous Lake Pearl Drive study that they did where again they concluded that the speeds that were traveled on Lake Pearl were consistent with the speed limit that was posted. We asked them to reevaluate the traffic study and to consider a variety of mitigating factors. Those mitigating factors included a number of driveway cuts, lack of sidewalks, substandard roadway width and a few other things. The County did revise the study and it was my opinion that the revised study again focused primarily on speed and the same recommendation came out of that. I subsequently met with Jon Cheney, the County traffic engineer, and indicated my concern to him that the traffic study did not consider the mitigating factors. The mitigating factors hadn't been included in the report but he said he would make sure that they were before the final report. I put the final report in your box today. The final report does take into consideration the various mitigating factors and as a result the recommendation from the County is to lower the speed limit to 25 miles an hour. Upon direction from the City Commission, Rick Mullen will order the signs and we will get them posted." **City Attorney Groot** said we need an ordinance to reduce the speed limit because otherwise it's not in violation of anything. Speed limits are set by statute and are allowed to be deviated from so you need a law to make it unlawful to go anything other than the statutory speed. **City Administrator Findell** said he will bring an ordinance back to the Commission. He added that the current cost of road construction is \$6 million a mile. There was a general discussion about what drives up that cost and what might bring it down.

*Code Enforcement Officer*

No report.

## **MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE**

*Commissioner Robbins*

"I just want to announce that the Community Club is meeting tomorrow night at 6 p.m. Bring a covered dish for dinner. Music will be provided by *Misty Morning*. Also, on February 18<sup>th</sup>, The River of Lake's Heritage Corridor received the Florida Scenic Highway designation. I was appointed to the board. They finally went to Tallahassee on Wednesday and got the designation. They've also been working on preserving the Strawn property. We were each asked to write a letter to the County Council. The River of Lakes is going to try to obtain a grant to save that property; it's something very worthwhile. I think it's something of major historic significance in our county. They were supposed to meet for demolition because the owner wanted to demolish the whole complex. It was postponed until May so that gives the River of Lakes Heritage Corridor time. They're talking about in the neighborhood of \$175,000 to purchase the property. Jesse and Renée are very strong-willed about saving this and making it a museum. We're going to be meeting every two months from now on. They're going to be starting on the north end of Volusia County in the Pierson/Seville area. One of the projects is the widening of Highway 17. We really need to start thinking about what we would want to ask for during this process. I'm sure there will be matches that have to be met. I know there was talk about putting a center strip down Lakeview Drive like it was years ago. That might be something significant we can ask for.

*Commissioner Burton*

"Yesterday, I went to the League of Cities luncheon in Daytona. There was a seminar with three speakers - a professor of economics, the President of the Daytona Chamber of Commerce and the Superintendent of schools. The professor of economics did not paint a rosy picture for the future. It may take until 2011 or 2012 before we come out of this recession. He said revenues from sales taxes are down to 2001 levels. State revenue shares are down to 2004-2005 levels. That means that the things that we're able to share from the state are down. Gas taxes are down. Property taxes are down. Impact fees are down. Building permits are down. Building renovations are down. Oddly enough, the one thing that provided a sense of encouragement is that capital investments are up which are long-term investments. The software we're buying is a capitalized expenditure." He described the situation as being very bleak. "The title of the seminar was called 'The domino effect of what the economic impact is going to be as it trickles down.' The speaker gave three possible solutions to get us out of this quagmire. 1. Bail out the companies that are going down the tube. 2. Nationalize them. 3. Do nothing. The condition that we find ourselves in is one that we've never seen before and all of the models from the past can't help us this time. There are no models that can give us the scenario that we're now facing. From an economist's position, the possibility of doing nothing may be better than doing the wrong thing. The City of Lake Helen is a microcosm of the county, the state and the country. I hate to be the one who says the sky is falling but I feel the need to verbalize this. The regular people can't pay their bills, we can't pay the insurance premiums on our houses, on our cars. All this is going to have an effect on us. So many people are affected by the

current economic situation. Where does all this ends? I hate to say where. This is the people's house. I was elected to represent the people and I hope it's not seeming that I'm taking too much time to speculate - to bring this to the forefront. Too many times things have been pushed aside because we don't want to hear them. I'm taking this time, this is what I was elected to do, so that's what I'm going to do. Next, I want to talk about the I4 widening program. **Commissioner Lane** and I were in the new elected officials seminar. In that seminar, we were given some information about why we are getting the \$850,000 for that project. The way it was presented to us is that capital programs or improvements or monies that have been set aside for projects have been set aside because they did not have the money to do the project so they hold the money aside, year after year. Once they build up enough money, they do the project. It seems that somebody got a hold of the fact that monies are being set aside. It's being set aside so what happened when our project came up about the I4 widening - it seems that the \$850,000 that was set aside to do the landscaping was money that was put on the table so it would not be moved around or we would lose it. If we do not do this \$850,000 project, if we don't accept it, we're going to lose it. What Don (Findell) was able to do was circumvent the tri-party agreement among the county, city and state. He was able to circumvent it by leaving the county out of the equation. The city and the state agreed to the maintenance agreement. We would agree on the maintenance and then they would redo the landscaping to accommodate the maintenance plan. That's the way city's work. I just like to point out that it's two separate things. The reason we're getting this money is because somebody squawked that money is being held aside so let's get rid of it. We happen to have a project that that money could be allocated to. The only thing that slowed up that project was how we would maintain it. Don (Findell) has worked out a way. It's important that we all get good information."

*Vice-mayor Snowden*

"I received an e-mail from the Community Roots group. They wrote about their progress moving forward. They secured a lease with Costa. They have scheduled a work day with plans to move forward with fencing and erecting buildings and preparing grounds for gardens and what have you. We might look forward to seeing this in the future. At their last presentation to us they didn't know what they were going to do now they've resurrected the plan. We're hopeful that they succeed. I would like to send them a friendly reminder to let them know about the requirement of getting permits."

**Commissioner Burton** has heard from them also.

*Commissioner Lane*

"The seminar we went to was interesting. Regarding the stimulus package when projects have to be shovel ready - in order for something to be shovel ready, it has to be funded but if it's funded you can't get funds for it. There are so many things the government does that make no sense at all. It has to be shovel ready at the federal standard which doesn't lend itself to a whole lot in Lake Helen. I commend Don Findell for getting us anything that was on the "A" list. That was good work. The gentleman from MPO who spoke to us was flattering in his comments toward you Don (Findell). It made me feel good about Lake Helen. But with all the billions and trillions that are being thrown around, our local MPO might get an extra ten million but that's a mile and two thirds of a road. The fact that we were able to get anything on the "A" list is fantastic. Thank-you again, Don."

*Mayor Duffy*

All I have is a reminder about the League of Cities dinner. It's at the new Halifax Yacht Club. **City Administrator Findell** said, regarding reimbursement, that those of us who do not use the city car do not charge the city mileage but can be reimbursed for the event.

**ADJOURNMENT**

Meeting adjourned at 9:50 pm

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Joan L. Duffy, Mayor

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Nancy Wilson, City Clerk