

**REGULAR MEETING
LAKE HELEN CITY COMMISSION
May 6, 2010
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 Snowden** at approximately 7:00 p.m. Present were **Mayor Snowden, Commissioners Basso, Burton, Lane and Robbins**. Also present were **City Attorney Lonnie Groot, City Administrator Don Findell and City Clerk Nancy Wilson**.

Patricia Shutts gave the invocation and led the pledge of allegiance.

DELETIONS OR MODIFICATIONS TO AGENDA - none

COMMISSION ANNOUNCEMENTS

Mayor Snowden announced that the car show held on April 24th was a great success. The AACA donated \$250 to our tree fund, specifically for trees in Blake Park.

MINUTES

Because the minutes were not delivered in a timely matter, it was decided to postpone approval until the next meeting. However, all the minutes for April are online.

CONSENT AGENDA:

Bills - May 6, 2010

Commissioner Robbins questioned the charge for asphalt millings and the price we paid for them which she said was more than the normal cost. Nobody was certain what size load the price quotes were for.

Commissioner Burton said that Rick Mullen acquired a lot of dirt for free from the S. Summit Avenue project to be used around the City.

The Public Works Superintendent was being responsive to the heated issue of dust from the roads and acted in the best interest of the city.

Commissioner Burton made a motion to approve the May 6, 2010 bills
Commissioner Basso seconded

All zones and the Mayor voted yes

Mayor's proclamation declaring "Poppy Days" on May 28th and 29th.

Mayor Snowden read the proclamation in its entirety.

Ms. Shutts spoke about how donations are spent and how closely audited their funds are. All donations and contributions for the veterans are appreciated.

PRESENTATIONS

none for this meeting

BI-MONTHLY REPORTS:

City Engineer – no report

Local Planning Agency (PLDRC) – no report

Parks and Recreation Board

Sean Abshire, Co-chairman of Parks & Recreation, discussed the 4th of July fundraising effort. They are still actively seeking donations. The 4th of July committee needs 12 more people to serve. The Miss Lake Helen pageant planning is going very well. 21 girls have signed up and there may be more.

Michelle Skiles said she may be able to get some DBCC students to help and it was suggested that the youth groups in town be contacted. Parks & Recreation volunteers want to stand on street corners and solicit donations. Diane Jennings spoke about fundraising activities. This year, there has been about \$800 collected from Market in the Park vendors.

PUBLIC FORUM

none for this meeting

PUBLIC HEARINGS

none for this meeting

COMMISSION CONSIDERATION:

Consideration of request by LC Productions to use the Equestrian Center

Bill Fairfull

Osteen

&

Jeff DeSantis

Lake Helen

Commissioner Basso asked if they would be generating revenue. Mr. Fairfull answered yes but the business is in its infancy and they don't know what to expect for proceeds. He explained their business which advances equine understanding, education and enrichment and described how it could benefit Lake Helen. The purpose of their clinics is to provide training, hands-on instruction and entertainment in the field of natural horsemanship. They also explained the clinical curriculum which is broken down into 8 bi-weekly instructional sessions. They want to put on a show to exhibit what they have to offer before a longer term commitment is made.

There is no set fee for the use of this facility. Some research on similar facilities and the amount of city involvement required (set up, clean up, traffic control, security) would give a baseline fee from which the city could work out a fee structure. Park rentals are currently considered on an individual basis. Whoever uses the facility has to provide insurance in the amount of \$2 million. Mr. DeSantis said he's familiar with the insurance requirements and he explained the logistics of what they require.

Commissioner Burton asked about the clinics. Because of insurance requirements, only 18+ year olds will be allowed to participate. These are horse and rider clinics so only people with horses can participate though spectators are welcome. There are 12-15 participants in the clinic. **Commissioner Basso** asked if they would be amenable to a percentage sharing at which point, **City Attorney Lonnie Groot** interjected three considerations:

- Does this use comply with grant stipulations
- Has this been coordinated with the WVSC
- Have insurance requirements been fulfilled

Mr. Groot continued by saying when you take a percentage you're a co-sponsor. By charging a fee, the city would just be renting the facility and wouldn't be assuming any additional liability other than the premises liability.

Mr. DeSantis said he spoke to Karen Crawford and she doesn't see a problem working with LC Productions. They are flexible with their dates and logistics.

City Administrator Findell said that the City has facility rental forms that can be used for unusual uses, such as this one. The completed form will provide all the specifics to aid the city in making a decision. This is part of the fee calculation process.

No motion was made on this consideration item. The city is in fact finding mode and LC Productions wants the city to provide them with some terms. After representatives from LC Productions, WVSC, Police Department, Public Works and a staff member meet, they can hammer out details. **Commissioner Burton** volunteered to be on the committee.

Consideration of proposal by Diane Jennings, Parks & Recreation Board, to initiate planning on the Blake Park Playground Project

Ms. Jennings asked if anybody had any questions after last weeks workshop. The Commission complimented her proposal again and commented on how thorough and professional it was.

Commissioner Basso made a motion to accept the proposal as presented by Diane Jennings for the playground in Blake Park and to commit \$2000 for seed money

Commisisoner Burton seconded

It was suggested that she give the presentation to another audience to let others know about the project.

All zones and the Mayor voted yes

She left flyers for anybody in the audience who was interested.

Consideration of an application, submitted by James Muir, 241 S. Euclid Avenue, for a Certificate of Appropriateness for an accessory structure

Ed and Joe Blackman were present to represent Mr. Muir who is in Pennsylvania. Ed Blackman designed the trellis and Joe Blackman built it. It's a 12'x24' trellis designed to give shade adjacent to the garage. Mr. Muir also wants a trellis at the rear of his property very similar to the one that's next to the garage. This is coming before the Commission because the Historic Preservation Board currently doesn't exist.

Commissioner Basso made a motion to approve the application and to grant a Certificate of Appropriateness
Commissioner Robbins seconded

All zones and the Mayor voted yes

Consideration of Ivy Hawn Charter School final development plan and order

The site plan was projected on a screen in the auditorium so the proposed Ivy Hawn Charter School site plan could be viewed by all present.

The school is to be located at 151 E. Ohio Avenue in the western half of the large "warehouse building" at the southern end of the "Pyramax Property". The charter school has been approved by the Volusia County School Board. It is anticipated to open in August 2010, and can accommodate up to 200 students.

The PLDRC conducted a public hearing on April 26, 2010, to review and consider a recommendation for approval of the Final Development Plan and Development Order. It was felt that the school would be an asset to Lake Helen and that the proposed improvements (paving and striping the Lakeview Drive entrance and the rear parking areas of the "Pyramax Property", and installing additional landscaping in the parking areas) necessary to support the operation of the school, would address longstanding aesthetic issues associated with the property. Additionally, the PLDRC's original concerns, expressed during concept plan review, regarding traffic flow into and out of the site, and vehicle stacking and queuing internal to the site, were addressed in the Final Development Plan by the inclusion of an additional ingress/egress connection onto Pleasant Street and by modifying parking space and travel lane configurations.

The PLDRC also recommended that a designated, striped pedestrian walkway from the Lakeview/Ohio Avenues intersection to the school entrance be included.

Irene Boyles
CPH Engineers

There were some questions about parking, both now and in the future, and about ingress and egress. The code requires the school to have 60 parking spaces but they've provided a total of 90. The number of parking spaces is adequate for the school and for other uses of the property. There will be less impervious material in the parking area than there is now so there isn't an additional stormwater consideration.

There was a question about water meters and who will be paying the bill.

Dan McFall
Property Manager

The water billing starting in June will be on one bill and a determination will be made later as to whether the bill will be divided among the tenants.

Commissioner Basso made a motion to approve the Ivy Hawn Charter School Final Development Plan and Development Order
Commissioner Robbins seconded

All zones and the mayor voted yes

Consideration of request by Shoestring Theatre to have the fees waived for use of Hopkins Hall on August 14th

Michelle Skiles
Lake Helen

The Board of Directors for the Shoestring Theatre has a preview night each August where they present the upcoming season's line-up. The evening includes a scene performed from each of the upcoming productions and awards are presented to members who make this local entertainment possible. The event is free to the public and refreshments are served. It's an opportunity for them to thank their regular patrons and perhaps recruit some new ones. The Theatre is non-profit and has been a part of the community for over thirty years. They received an ECHO grant to repair and upgrade their facility. They are always on a tight budget and are asking the city to waive the fee for the use of Hopkins Hall on August 14, 2010 for this annual event. The Commission discussed the facility usage policy that will be reviewed at a subsequent meeting.

Commissioner Burton made a motion to grant the waiver for the use of Hopkins Hall on August 14, 2010
Commissioner Basso seconded

All zones and the Mayor voted yes

Consideration of request by the West Volusia Saddle Club to set March 12th as the date for Equifest 2011 and to waive associated fees

Betty O'Laughlin
715 McKenzie

The WVSC does not have a treasurer's report from Equifest 2010. The Commission stated that there was not supposed to be a cost to the city but the city paid a vendor fee for the Teen Program. Also, the WVSC was supposed to make enough money to give a portion of the proceeds back to the city.

Commissioner Basso made a motion to table this until there is a treasurer's report and there is a breakdown of what the costs to the city were.
Commissioners Robbins seconded

All zones and the Mayor voted yes

Keith Chester said the types of vendors they had was a problem because there was a lot of duplicity but the Teen Program is going to do their best to recoup their cost.

Commissioner Lane wanted to allow the WVSC to reserve the date for Equifest 2011.

Commissioner Lane made a motion to allow the WVSC to reserve the facility on March 12th for Equifest 2011 pending confirmation within 90 days.

Commissioner Robbins seconded

All zones and the Mayor voted yes

There was further discussion about the event and the WVSC contract.

Consideration of FY 2010-2011 CDBG Annual Plan and 5-Year Work Program

The Annual Plan and 5-Year Work Program contains the projects that the City Commission agreed upon at the April 14, 2010 CDBG Public Meeting. These are:

- Completion of South Summit Avenue Street Improvements Project
- Resurfacing of Pleasant Street
- Pleasant Street Sidewalk Construction
- Resurfacing of Elvira/Vista Streets

The FY 2010/2011 CDBG Annual Plan and 5-Year Work Program must be submitted to the County by May 17th.

Commissioner Basso made a motion to accept the CDBG Annual Plan and 5-Year Work Program

Commissioner Robbins seconded

All zones and the Mayor voted yes

COMMISSION DISCUSSION:

Discussion of status report given by Chief Chester regarding the Creative Arts Café

Chief Chester outlined the programs going on for both the CAC and Teen Program. Also, the Census takers, Little League, the WVSC and others are using the facility to hold their meetings with other groups being added including fundraising groups. A gardening program is upcoming and the website link is updated regularly.

Fred Tessier has put in endless hours to help us get better organized. He's currently helping us write policies and procedures and setting up a protocol for dealing with them. He's also working on inventory issues with Kelly, getting policies in place for purchasing and policies for how finances flow. All of this is being done to insure that the facility is running efficiently and he's creating flow charts for an ongoing smooth operation.

Heather Comeau asked Chief Chester about the CAC providing meals for the Ivy Hawn Charter School. She's not happy with the meals provided by RightWay Meals. There is no way for the Café to provide meals for that number of children every day.

STAFF REPORTS:

City Attorney – no report

Police Chief - no report

City Administrator – Mr. Findell received notification that we've been awarded a grant of \$14,300 for tree planting. He wants to build on that with a grant from the county.

Also, there's a new accounting requirement that we have an actuarial study performed of the potential cost of providing health insurance to retired employees even though they have to pay for it themselves. The least expensive route to take to fulfill this requirement is to piggyback on the Florida League of Cities contract. The cost to us will be about \$3000.

For street improvements and surface treatments, it occurred to Mr. Findell that we'd allocated impact fees for sidewalk construction but we could use those fees for road improvements beyond general maintenance. We have about \$13,000 available for millings to address some street problems. We could do that on a routine basis. The Commissioners will provide the City Administrator with a list of roads that need repairing.

Code Enforcement Officer – discussed the house that burned down on 433 Jackson Street. He asked for direction from the Commission about condemnation to demolish or taking action on the property to remediate unsafe or unsound conditions. **City Attorney Groot** said if the property is unsafe, this must be determined by a building professional.

Commissioner Lane made a motion to authorize the Code Enforcement Officer to spend money to board up the property on 433 Jackson Street

There was a lot of discussion about the condition of the property and what action should be taken. The **City Attorney** suggested that it may take more than a month to get the insurance company to board up the property. If he tapes the property, he can arrest those who trespass. Mr. Clarino said he hopes they don't have to go through the condemnation process, luckily, it's more likely that the house will be rebuilt rather than torn down.

Commissioner Basso seconded

All zones and the Mayor voted yes

Other properties were discussed and Officer Clarino updated the Commission on those properties and explained the process of code enforcement. Officer Clarino also described the new animal holding facility in Deland. The concept is wonderful but it's too expensive an undertaking for Lake Helen. **Mayor Snowden** commented on the fees we are paying to the Halifax Humane Society for strays.

Officer Clarino has sent a notice of violation to the owner's of the property on the corner of Jennings and Summit. **City Administrator Findell** wants the Commission to give Officer Clarino direction if the owner doesn't respond.

Commissioner Robbins made a motion to give Officer Clarino authority to board up the premises at Jennings/Summit by the end of the month if the owner doesn't comply

Commissioner Basso seconded

All zones and the Mayor voted yes

City Administrator Findell explained to the Commission the difference between building codes and land development codes.

Commissioner Burton asked Officer Clarino about the dumping area off Ohio Avenue. Mr. Clarino is in the process of getting permission from the owners to go on their property to assess the situation.

MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE

Zone 1/Commissioner Robbins

Commissioner Robbins discussed Arbor Day and a tree she planted for a friend at Blake Memorial Church. She has a Scenic Road meeting the following week.

Zone 2/ Commissioner Burton – His car was burglarized. He's going to a grant workshop to learn how to write grants and to learn more about the process. The South Summit Road project crew has trucks driving over an unmarked grave but Ricky handled the situation.

Zone 3/Commissioner Basso – no report

Zone 4/Commissioner Lane – no report

Mayor/Mayor Snowden – announced the Volusia League of Cities dinner on May 27th and he encouraged the Commission to attend to network. On May 15th, there's a West Volusia Summit meeting in Orange City where they will be discussing water issues.

He talked about the dirt that Rick Mullen acquired from S. Summit Avenue and said that we should have first dibs on it but other contractors were lined up to get truckloads for themselves.

ADJOURNMENT

The meeting was adjourned at 11pm

Buddy Snowden, Mayor

Nancy Wilson, City Clerk