

**REGULAR MEETING
LAKE HELEN CITY COMMISSION
May 7, 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 and Lane.** Also present were **City Attorney Lonnie Groot, City Administrator Don Findell and City Clerk Nancy Wilson.** Let the record show that **Commissioner Burton** was excused for this evening.

CALL TO ORDER: Mayor Joan Duffy

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Duffy gave the invocation and led the Pledge of Allegiance

DELETIONS OR MODIFICATIONS TO AGENDA

No deletions or modifications

COMMISSION ANNOUNCEMENTS

City Administrator Findell reminded everyone about the 13th Annual St. Johns River Cleanup on June 6, 2009 from 8am – 11:30 am. Registration information can be found on their website (<http://www.volusia.org/cleanup/stjohns.htm>). **Mayor Duffy** said that we usually have people from Lake Helen volunteer; the **City Administrator** concurred.

MINUTES: March 5, 2009, April 2, 2009

Commissioner Robbins made a motion to accept the minutes from March 5th and April 2nd.

Vice-mayor Snowden seconded with one correction to the April 2nd minutes. He had already informed the Clerk of the change on page 11, close to the bottom of the page the word should be *corridors* instead of *quarters*.

Zone 1/yes; Zone 3/yes; Zone 4/yes; Mayor/yes

CONSENT AGENDA:

- Bills – May 7, 2009
- Mayor's Proclamation declaring "Poppy Days" on May 22nd and May 23rd

Mayor Duffy said that the American Legion Auxiliary Unit #127 would like the City to grant a proclamation to distribute the Veterans' memorial red poppy on May 22nd and 23rd in Lake Helen. Volunteers will distribute the poppies at the post office on Friday

and Saturday mornings between 9am and noon. Poppies will also be distributed at the corner of Main Street and Euclid Avenue. **Mayor Duffy** read the Proclamation.

Vice-mayor Snowden made a motion to approve the Consent Agenda

Commissioner Robbins said, "I had some questions about the bills regarding the CAC that I'm going to take up with Keith at a later date. Since we're running very, very close to in the black but only slightly in the black, I have some questions that I want to pose to him."

Commissioner Lane seconded

Zone 1/yes; Zone 3/yes; Zone 4/yes; Mayor/yes

PRESENTATIONS

None for this meeting

BI-MONTHLY REPORTS:

City Engineer

The **City Administrator** said that he and the Engineer are waiting on comments from the Water Management District regarding their latest submission on the Consumptive Use Permit.

Local Planning Agency (PLDRC) – no report

Historic Preservation Board – no report

Parks and Recreation Board

Betty O'Laughlin: "The biggest thing we have is that Parks & Rec is running the Fourth of July activities and we also have a Fourth of July committee. We are not getting any volunteers so the games will have to be eliminated. We haven't voted on this officially, we don't have our meeting till next Tuesday night, but we'll have the parade, we'll have the Saddle Club events at the Equestrian Center and we'll have our Fourth of July in the Park with Tammy Johns. There will be no games this year because we don't have the volunteers and we could have an insurance issue with not having enough people running the games. Last year we had the games but they were done with too few volunteers. Back in the early 1900's there was just a picnic in the park, we didn't have the games and all the other stuff. We just had families in Lake Helen gather in the Park, have a picnic and visit with friends. I think that would be an awesome idea if we can get that to happen. The other option is that we do have a number of food vendors we could contact. We could circle the park with food vendors and people could come and bring their chairs and their blankets and everything and buy food from the vendors and just have a big old-fashioned Lake Helen picnic. That was the other possibility and we would just have to let the food vendors know that we can't guarantee them anything. What I would like to do, though, is really put a lot of focus on the parade by inviting other cities to bring their floats and make a big deal out of that. We'll have Tammy at Royal Park and have our fireworks and events at the Equestrian Center. We always have a grand Fourth of July there. We should just focus on those three things this year instead of dragging volunteers out of the woodwork. I think we can have an awesome Fourth of July just with these few things. It won't be so stressful this year for some of us. The other thing I want to discuss is Founder's Day. It would be cool if everyone dressed in

period costumes with wagons, carts and horses. That's also something to think about for the fall. Maybe with the Historic Preservation Board's help, we could amass more volunteers to help us. I'd like to make Founder's Day a standalone event and not combine it with another event so we could focus our efforts on it. We have a wonderful town here and we can have a lot of good activities if people would pick one event they like to work on. That way, it's not the same people volunteering every time." **Mayor Duffy** asked if anybody in the audience wanted to volunteer. Nobody responded. Ms. O'Laughlin continued, "We are getting started on organizing Equifest for next March. We'll come before you next meeting with a set date." **Commissioner Robbins** said another thing associated with the Fourth of July is the Miss Lake Helen/Cassadaga contest. Ms. O'Laughlin said Vicki (Loeffler) and last year's winner are coordinating the event this year. **Commissioner Robbins** said she ran into Amber Driggers who said she's living back in Lake Helen and would be willing to help with the contest. Amber Driggers did it for about five years. Betty said she'd pass that information on to Vicky.

PUBLIC FORUM

None for this meeting

PUBLIC HEARINGS

None for this meeting

COMMISSION CONSIDERATION

Consideration of application from Doug Chappel for Special Exception approval to operate a light manufacturing business on a portion of the property located at 151 E. Ohio Avenue.

Mayor Duffy said that we all know this as the Pyramax property. Doug Chappel came to the podium. **City Administrator Findell** said, "I can give you the overview. Mr. Chappel is basically making a special exception approval request for the business he was formally going to operate on the vacant piece of property across the street from the Pyramax property on Pleasant Street. That project was previously approved by the **City Commission** but because of the economy he's decided to, upon **Commission** approval, utilize available space in the back building on the Pyramax property, the long warehouse type building. The property is located in the redevelopment commercial overlay district. That district doesn't provide for light manufacturing as a specifically permitted use but one of the things the district does provide for by special exception approval are other uses that can be conducted in a fully enclosed building and can demonstrate to the City's satisfaction the ability through design and operational standards to be compatible with residential land uses. The business is one which, according to the applicant and which I can attest to due to my site visit, can be conducted in a fully enclosed structure. It generates minimal, if any, noise that can be heard outside the facility. It doesn't generate fumes. It doesn't require outdoor storage. It doesn't generate hazardous waste with the exception of a 5 gallon can of waste oil annually that's disposed of at a gas station or other waste oil recovery facility. It's anticipated the proposed business will require one to four tractor-trailer pickups or deliveries per week and daily UPS pickups and/or deliveries. I visited his place of business in Ormond Beach which is located in a business park. Mr. Chappel's business

is located next door to a geotechnical engineering consulting firm. If you didn't know he was conducting a manufacturing facility when you drove in you would think that both places of business were merely offices. Doug walked me through the facility and it was laid out such that there were reception, sales, business offices and monitoring/testing sections of the building along with assemblage areas. Going through each area, the observation was that internal noise was minimal and external noise was nonexistent. We talked about hazardous waste by-products and again the 5 gallon can of waste oil was the only waste that requires some special disposal. The building he wishes to locate in is large enough to house his operation. I think Doug has 4,000 square feet now and at his new location he'll have 23,000 square feet. This will give him more space to separate his people." Mr. Chappel added, "The biggest thing for us is the assembly area. A lot of what we do requires a relatively large amount of space. When Don was there, it was during a lull time but other times we're just jammed so full that we have to borrow space. This will be a good spot for us." Mr. Findell continued, "What I failed to mention is the type of business he conducts. It is a pump and electronics monitoring panel assembly business. Those products are provided to water, wastewater and landfill facilities throughout the country and Mexico. That's basically it. The PLDRC reviewed the application on April 20, 2009. There were five recommended conditions for special exception approval. They are:

- The business use shall occupy that portion of parcel 7130-02-64-0010 that is depicted as the building outlined as Exhibit A
- Any expansion of the use shall require application for and approval of an amendment of the special exception approval
- The business shall consist of the product and process described in the staff memorandum. Any deviation from said product and process shall require application for and approval of an amendment to the special exception approval
- The business shall be conducted in a fully enclosed structure. There is to be no outside storage or outside display of products or materials. There should be no outside overnight parking of delivery/pickup vehicles
- The business shall not generate objectionable noise, fumes, vibrations, dust or odor. Also, the business shall not use any local, state or federal hazardous waste materials without the approval of the City nor shall any local, state or federal regulated hazardous waste be generated by the business without approval of the City.

Mayor Duffy asked where in the building his business will be located. Mr. Chappel said they will occupy the second bay in from the east side and take up about 25% of the building. Trucks can come down into that area but there isn't a ramp. They don't need a ramp because they normally use a forklift. Mr. Findell added that the PLDRC recommended approval.

Commissioner Robbins made a motion to accept the PLDRC's recommendation for special exception approval to operate a light manufacturing business on a portion of the property located at 151 E. Ohio Avenue.

Commissioner Lane seconded

Zone 1/yes; Zone 3/yes; Zone 4/yes; Mayor/yes

Consideration of request by the Parks & Recreation Board to establish a Kickball League.

Sean Abshire: "I have included all the information in your agenda packets. The league will run between June 8th – September 14th. We are going to use the back field at the Mitchell Complex. The Little League president, Paulette Viers, said they don't use that back field at all and we are welcome to use it." **Mayor Duffy** asked if he'd run his entire proposal by Ms. Viers and Mr. Abshire assured her that he had. **Mayor Duffy** commented that his packet was very thorough. Mr. Abshire continued, "In the letter you all have in your packets, I said that I'd need \$65 dollars to start the league but I only need \$45. There are bases already in place and Paulette said we could use them. So all I need is \$45 to purchase the kickballs." **Mayor Duffy** asked **Mr. Findell** if there's \$45 in the budget that we can use for Parks and Recreation to which he responded in the affirmative. **Commissioner Robbins** asked, "How is the sign-up going to be done on this? My question is that being conducted during a couple of the hottest months, I've had concerns about the heat and the children." Sean said the games will be on Monday and Wednesday evenings at 6:30 p.m. and on Saturdays but only if enough people sign up and we have a third team. "If we do have a Saturday game, it will be at 11am." **Commissioner Robbins** continued, "Are these kids going to have to have physicals? This is the hot time of year especially on Saturdays. Between 11a.m. and 2p.m is about as hot as it gets - the sun factor. Are they going to be required to have any kind of physical?" Sean said probably not. **Commissioner Robbins** said, "I'd like to ask the attorney if this poses any kind of a legal..." **City Attorney Groot** said no. **Commissioner Robbins** continued, "There are kids that could have a heart murmur that they don't even know about and if they get out there running in the heat....we don't want anything to happen to our youth." Sean asked, "Does the Little League require that the players have physicals." Nobody knew. **Mr. Findell** told Sean that he should ensure that there is plenty of water available and a rest area. **Mayor Duffy** said, "It would be a good idea to discuss the time with parents during registration. Also, which field is it?" Sean answered that it's the back field. **Commissioner Robbins** said, "Isn't that the most open one?" Sean described where the field is. Mayor Duffy then said the first thing you have to do is go through registration to ensure you have enough kids.

Commissioner Lane made a motion to approve the expenditure of \$45 for Parks & Recreation to establish a kickball league.

Vice-mayor Snowden seconded

Zone 1/yes; Zone 3/yes; Zone 4/yes; Mayor/yes

Consideration of contracting with Four Seasons Display Inc. for 4th of July fireworks.

Mayor Duffy said, "This is the same company that gave us a beautiful display last year. The contract is also for the same amount as last year- \$5000. They are amenable to adding more fireworks to the show if donations over and above \$5000 come in. What

we're looking for tonight is a commitment of \$5,000. I know this is a tight year and fireworks may not be foremost on people's minds but I think it's important to give our people, our kids, something like this. This is something that has gone on forever in Lake Helen and I think it is really important that we provide our families with this celebration. We should do this for Lake Helen this year." **Vice-mayor Snowden** asked where we stand with donations/contributions. Mayor Duffy wasn't sure but the letters asking for donations are going out now to businesses and individuals in Lake Helen and surrounding areas. We had people here from DeBary, Sanford and other areas last year. Deland donated \$750 last year and I understand they are going to donate again this year. I have no doubt we will have \$5000 and possibly more.

Vice-mayor Snowden made a motion for the City to commit to a fireworks demonstration in the amount of \$5000.

Commissioner Lane seconded

Zone 1/yes; Zone 3/yes; Zone 4/yes; Mayor/yes

Mayor Duffy added that the **City Attorney** went through the contract and made the necessary legal changes. We will have our fireworks.

COMMISSION DISCUSSION

None for this meeting

STAFF REPORTS

City Attorney – no report

Police Chief – no report

City Administrator

"I'm hopefully going to finish up the NPDES 5-year work program sometime in the next couple days. I've got some Community Development Block Grant work to do and once I'm done with that, I'll be free to get back on budget issues. We can start budget meetings sometime after June 15th. On June 1st, we get the pre-preliminary estimate of taxable values from the property appraiser's office. On July 1st, we get the preliminary values from the property appraiser's office. That's what triggers the budgetary process. By July 15th, a budget has to be presented to the City Commission. The City Commission holds their workshops or special meetings, which are ultimately Public Hearings, between mid-July and the end of September. I would recommend this year that once I get the pre-preliminary estimates and we get an idea of what that means in terms of revenue generation, that we start discussions earlier. We'll all be better served for doing that." **Mayor Duffy** said, "I don't think we're going to be happy." **Mr. Findell** agreed. "We are going to have to look at various scenarios on the revenue side and the expense side. I think that it's better to start those discussions earlier rather than later since we'll have a lot to talk about.

Code Enforcement Officer – no report

MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE

Zone 1/Commissioner Robbins – nothing to report

Zone 3/Vice-mayor Snowden: “Just a reminder that our City is the host of the League of Cities dinner in July so we should start thinking about that because we have to get notice out well in advance. Perhaps we could individually come up with ideas or thoughts.”

Zone 4/Commissioner Lane – nothing to report

Mayor Duffy: “I want to thank everyone who sent me cards, etc. when I was ill. They were very much appreciated. I also want to remind people of the cemetery cleanup on Memorial Day and the Historic Society presentation on May 17th.”

ADJOURNMENT

Meeting was adjourned at 7:45pm

Joan L. Duffy, Mayor

Nancy Wilson, City Clerk