

**REGULAR MEETING
LAKE HELEN CITY COMMISSION
August 7, 2008
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 7:05 p.m. Present were **Mayor Duffy, Vice Mayor Buddy Snowden, Commissioner Benton, Commissioner Cooke** and **Commissioner Robbins**. Also present were **City Attorney Ken McIntosh, City Administrator Don Findell** and **City Clerk Nancy Wilson**.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Vice-Mayor Snowden led the invocation and pledge of allegiance

DELETIONS AND MODIFICATIONS:

Presentation by Mike Woods was rescheduled for August 21, 2008

MINUTES:

Commissioner Benton made a motion to approve the June 19, 2008 minutes.
Commissioner Robbins seconded.

All zones and the Mayor voted yes.

_____ **Commissioner Benton** made a motion to approve the June 26, 2008 minutes.
Commissioner Snowden seconded.

All zones and the Mayor voted yes.

_____ **Commissioner Benton** made a motion to approve the July 3, 2008 minutes with changes suggested by **Commissioner Robbins**
Commissioner Cooke seconded.

All zones and the Mayor voted yes

_____ **Commissioner Benton** made a motion to approve the July 22, 2008 minutes.
Commissioner Cooke seconded.

All zones and the Mayor voted yes.

CONSENT AGENDA:

a) Bills for August 7, 2008

The sheet that was left for the Commissioners tonight was the correct listing of bills, not the one included in their packets. **Commissioner Robbins** said there were some bills on the original sheet that were for the next fiscal year. **Commissioner Benton** asked if the CAC could be added to the bills as a separate column. He said the public is being deceived when they look at this. They think money for the CAC is coming out of the General Fund Account, they don't see what's being deposited. By putting another column there, the problem can be eliminated because the money is not coming out of the General Fund. Commissioner Robbins thought the J. Barlow grant services was mostly for the CAC. **Mayor Duffy** said no, she divided her time among the Hopkins Hall, City Hall, Equestrian Center and CAC grants. **Commissioner Robbins** said that we were able to "close out" City Hall so we can now receive the final \$52,000 from the Hopkins Hall grant (receiving that money was contingent upon the completion of City Hall). **Mayor Duffy** said once we establish the enterprise fund we won't need a column. **Commissioner Benton** said we can still make a separate column. He's tired of explaining to people that this isn't coming out of the general fund. It's easier for people to understand when it's separated out; it's no big thing to create another column. **City Administrator Don Findell** said you can create another column but what the Mayor is saying is that at the present time, until the enterprise fund is established, it does come out of the general fund. **Commissioner Benton** said he understands what **Don (Findell)** is saying but the problem would be eliminated by just adding another column so people wouldn't think the money is coming out of the general fund. **Don Findell** said the bills don't reflect any money that comes into the city, the bills just show money that is expensed out of the city. **Commissioner Benton** said no laws would be broken by creating another column. **Commissioner Robbins** said it's just for identification purposes. **Don Findell** asked how the Commission would like to handle this. **Commissioner Cooke** said he doesn't feel it's necessary to have a separate column, once we have the enterprise fund established it will be taken care of. For right now, everything is coming out of the general fund. **Commissioner Benton** responded by saying he was going to give out one of their telephone numbers when he gets asked this question again. **Mayor Duffy** asked if the Trophy Factory plus the ECHO Lake Helen signs are coming out of the grant. **Don Findell** said the city contributes 50% of the cost of the Echo program's required signage. We were able to reduce the cost of the signage over what it had originally been anticipated to be by one half. So we're really paying about one quarter of the anticipated original cost. **Mayor Duffy** said the grant required bronze signs that were very expensive. **Don Findell** said it was originally anticipated that they would cost about \$5,000 a piece.

Commissioner Robbins made a motion to accept the General Fund bills for \$63,722.55.

Commissioner Benton seconded.

All zones and the Mayor voted yes.

Commissioner Robbins made a motion to accept the Utility Fund bills for \$8,875.
Commissioner Benton seconded.

All zones and the Mayor voted yes.

Commissioner Robbins made a motion to accept the Stormwater Fund bills for \$2,414.35
Commissioner Benton seconded.

All zones and the Mayor voted yes.

b) Execute FY 2008-2009 MPO Funding Agreement

Commissioner Benton had a question about the MPO Funding Agreement saying there was no amount listed. **City Attorney McIntosh** said it's \$262 and the Mayor needs to authorize payment of the fee and the Mayor needs to authorize execution of the agreement. **Commissioner Robbins** asked if this would be accepted under part of dues for the 2008/2009 budget? **Mr. McIntosh** answered in the affirmative. **Don Findell** said we are approving the funding agreement not payment. Once the agreement is approved, the bill will be paid.

Commissioner Snowden made a motion to approve the MPO Funding Agreement in the amount of \$262 and authorized the Mayor to execute that agreement
Commissioner Robbins seconded

All zones and the Mayor voted yes

BI-MONTHLY REPORTS:

- a. City Engineer – no report*
- b. Local Planning Agency (PLDRC) – no report*
- c. Historic Preservation Board*

Don Waldrop gave a report on progress regarding their revision of the Historic Preservation Board ordinance. They're going to have one more read at which point they'll present it to the Commission. They put in language for demolition without proper code approval by the Historic Preservation Board. In such a case, a fine would be levied in the amount that's double the Volusia County appraised property value. This will protect the very valuable part of our cities – the historic properties.

- d. Parks and Recreation Board – no report*
- e. Ad Hoc Cemetery Committee*

Ed Blackman spoke with the LeMoine's. The project they were involved in is finishing and they will start working at the cemetery next Tuesday. They projected it would take about three or four days to do the work. With any luck, next time the Commission meets, the job

will be completed. **Commissioner Cooke** had a question, he was wondering if Ed (Blackman) had discussed with Tammy Johns about the painting of the fence? Ed Blackman said yes. **Commissioner Cooke**: "Did he say he would do the painting under the fence?" Ed Blackman said "we're going to be taking care of that, yes." **Commissioner Cooke** said "I have talked with Ricky about Tammy (Johns) using the tractor so he could pick the pieces up, set them down and do the bottoms. He said he'd be willing and happy to do that when I talked to him last." **Commissioner Cooke** didn't know if Ed Blackman had talked to Tammy (Johns) since then. Ed Blackman said, "Yes, we have. I think it's under control."

PUBLIC FORUM: None for this meeting.

PUBLIC HEARINGS: None for this meeting.

COMMISSION CONSIDERATION:

- A) **Consideration of request by the Saddle Club to build a horse wash rack adjacent to the stalls at the Equestrian Center.**

Tabled until representation is present.

- B) **Consideration of request by the Home Tour Committee for the city to share in the cost of a vertical piano dolly that's required to move a grand piano. The total cost was \$500; \$250 is being requested.**

Lou Gutshall from the Home Tour Committee, S. Euclid Avenue

Lou (Gutshall) provided a breakdown of what they've spent out of the 2005 Home Tour proceeds that had been put aside for the Hopkins Hall renovation. From those proceeds, they had the piano restored which was \$6,030. She wanted Don Waldrop to explain why it's important to have the dolly. The Home Tour Committee also donated all money for lighting and for some of the hardware. They've spent all the 2005 proceeds plus \$491 from their 2007 funds to pay for storage of the piano and a piano cover. The 2005 Home Tour was very successful, there were some big sponsors. For the 2007 tour, everything was down. They started with around \$6100. \$1,000 was set aside for start up for the following tour year; \$150 toward the United Methodist food pantry; \$1,500 to the library and then the piano cover and piano storage. They have just over \$3000 remaining which they had earmarked for a beautification project at the entrance to Main Street once all the road work is done. They are going to look into buying or helping with the cost of a sign or at the very least, helping with plantings so they need to hold on to the money that remains. Don Waldrop will explain why it's important to have the dolly. **Mayor Duffy** said in the letter from August 1, they were asking for \$496.90 but the amount submitted to City Hall was half of that. Lou Gutshall said they were asking for as much as they could get.

Don Waldrop said the floor is newly restored and even with the new, enhanced three inch wheels, moving the piano may cause damage. They're worried about the floors

and the legs of the piano if it is moved inexpertly. It is common practice for any kind of concert grand to have one of these dollies installed. It's the customary way to move them rather than take a chance of a leg or caster breaking. With people renting the hall, there need to be such safety devices in place. They got a very good price for the dolly that normally runs about \$600 - \$800; they paid \$496 including shipping. Ed Blackman advanced that money so he needs to be paid back. The piano in the Commission chambers also needs a dolly that will cost less than \$200 but that can be addressed later. They asked if the city would budget in that money. **Commissioner Cooke** asked how wide the dolly wheels are to which Don Waldrop answered they are 5 inches wide and made of heavy-duty rubber. The 3 inches wheels on the piano are a hard plastic or a high density rubber. They didn't feel that was strong enough. It was better to have it spread over a wider area so it can be moved easily. Don Waldrop also explained that the dolly stays attached and under the piano all the time. Lou Gutshall interjected that the first event they had after Hopkins Hall reopened, the piano had to be moved. **Commissioner Snowden** asked if it's designed such that the dolly can be secured so someone can't just arbitrarily roll the piano around at will. Don Waldrop said the keyboard is locked but the dolly isn't though that capability exists. The piano is secured to the dolly but the ability to move it around takes some effort. **Commissioner Snowden** suggested that some language be written into the rental agreement that people must get assistance to move the piano. **Commissioner Robbins** said \$250 isn't a lot of money but they've spent numerous hours hashing out the budget. The Commission didn't have that number during their previous meetings. One of the things the Commissioners agreed on was to look into raising the rental rate for Hopkins Hall. She didn't want Ed Blackman to have to wait for proceeds from future Hall rentals in order to be paid back, though. She suggested using the website to post the rental fees and let people know that the building is now available for functions. Don Waldrop asked if they have to wait for the money, can they be assured that the Commission will address this at a later date? Commissioner Robbins answered that once the building starts generating income.....and Mayor Duffy will agree.....the money earned needs to be put back into the building. Lou Gutshall asked if somebody would get back to them on this? **Commissioner Robbins** said she's not saying they can't get the money. **Commissioner Cooke** asked how much the rental fee is per day to which **Commissioner Robbins** answered, \$135 but **Mayor Duffy** said there are a lot of variables. **Commissioner Cooke** said the Hall was just rented for three days and the dolly has already been purchased so he feels we should spend the money to protect our investment.

Commissioner Cooke made a motion to contribute \$250 to the cost of the dolly.
Commissioner Snowden seconded.

All zones and the Mayor vote yes.

- C) **Consideration of request by Keith Chester to donate \$250 from the Teen Program to Devan Sago to help fund her trip to Washington for the inauguration.**

Commissioner Cooke said when Vernon Burton requested money from the Commission, none was given. **Commissioner Robbins** had made the suggestion that the Teen Program sponsor Devan. Keith Chester said that since she's not a member of the Teen Program, he would give her the opportunity on July 4th to work on one of the concession stands. **Commissioner Benton** said she worked all day and evening. **Commissioner Cooke** reiterated that since they hadn't helped her out before, he feels the City should make the donation. **Commissioner Benton** asked if the money is coming out of the Teen Program, if so, then is it actually coming out of their grant money and not the taxpayer's pocket? The answer was yes. Chief Chester explained earlier to **Commissioner Snowden** that he was using the event as a fundraiser and the proceeds would go to the Teen Program but Ms. Sago would be going to Washington and would represent the City so he felt that was a worthwhile program and a complement to the Teen Program. **Don Findell** said perhaps the best thing to do was to take the money out of Teen Center donations where we receive a substantial amount of money. That way, it won't be questioned as a grant expense .

Commissioner Benton made a motion to allow the Teen Program to donate \$250 to Devan Sago's trip to Washington representing Lake Helen.

Commissioner Snowden seconded.

All zones and the Mayor vote yes.

- D) **Consideration of request to approve Resolution 2008-12 "expressing the City's commitment to participate in a process to seek efficiencies in Fire, EMS, and related services through interlocal cooperation with the cities and county of Volusia"**

Mayor Duffy read the Resolution.

Commissioner Benton made a motion to approve Resolution 2008-12

Commissioner Cooke seconded

All zones and the Mayor voted yes

COMMISSION DISCUSSION:

- A) **Request to discuss a Resolution of the Volusia League of Cities opposing an amendment to the Florida Constitution that would require voters to decide all changes to a city or county's comprehensive plan.**

City Administrator Don Findell "wanted this League Resolution on the agenda before our own resolution was drafted to ensure that everybody understood what the League's position was. Everybody who attended the meeting several weeks ago, agreed to support the Resolution. Typically, you'd expect most cities and counties in Florida to oppose the amendment because it makes the comprehensive plan process much more

difficult. Lake Helen has taken a different approach to comprehensive planning in the past. As a result of that different approach, you may want to consider this resolution in the context of the approach that you've taken in the past. So, this Resolution opposes the amendment that would require the voters to approve any comprehensive plan change. So, if you support the philosophy that you don't want to make the comprehensive planning process any more difficult than it already is, you would support this Resolution opposing the amendment. One of the problems I have regarding the Resolution is some of the wording. You may support the Resolution in concept to oppose the amendment but you may not support some of the individual 'whereas's'. The city may wish to adopt its own resolution that would be similar in context while speaking to the city's philosophy rather than a general philosophy." **Commissioner Benton's** problem with it is, because he remembers when "smart growth" was on the ballot, the County Council used taxpayer money to get it tossed off. He said the County Council talks out of both sides of their mouth. They talk about "smart growth" but they aren't doing it. **Don Findell** said a better way of stating this position as it relates to growth management is that it won't impede "smart growth" as it will growth in general and that's what the issue is. This minimizes local elected officials' ability to make decisions as they relate to growth management. **Commissioner Snowden** asked **Mr. Findell** if that wouldn't cause special elections and referendums at odd times during the year if we were reviewing the comp plan to make changes? **Don Findell** responded by saying you can amend your comprehensive plan for large amendments twice a year – one coinciding with the general election and the other requiring a special election. **Mayor Duffy** said the electorate needs to be aware of this issue on the ballot. She said she has yet to hear of anybody in favor of it. **Don Findell** asked if the Commission wishes to support the League's opposition to the amendment, we need to prepare a Resolution that states that and tailor it to our City rather than using the general language provided by the League.

Commissioner Snowden made a motion to draft a Resolution that opposes the amendment to the Florida Constitution requiring voters to decide all changes to the City's comprehensive plan.

Commissioner Cooked seconded.

All zones and the Mayor voted yes.

STAFF REPORTS:

a. *City Attorney* - "He would indicate to you that he has new litigation matters to bring to the attention of the City Administrator. We have an amended complaint in the case of Troy vs. The City of Lake Helen. This particular amended complaint is before Judge Robert Rousch, the original judge who gave attention to pleading before in this case and who has mandated that they be amended. The new pleadings are 23 pages and the annexed thereto is 137 pages. This particular litigation will be handed to **Mr. Findell** for consideration and I have introduced him to that matter tonight. You will recall our success in the case of Robinson vs. Grammatikas. The

name has now been changed to Robinson vs. The City of Lake Helen and Nancy Wilson, the city clerk. This is a new amended complaint and this is another voluminous document that I will be handing to **Mr. Findell**. Both of these matters, we are concluding may have in them, land management matters and both of these pieces of litigation will be forwarded to the consortium for analysis. We will be asking them under our policy, that is, our representation policy, to undertake the representation in these two cases. If they do, we will be reporting to you. If they don't, we will likewise be making representations and recommendations to you regarding these matters. Mr. Osbourne, the attorney for the Lindsey's, has likewise received a copy of the Troy vs. The City of Lake Helen matter. Those are all of the matters I have for your consideration."

b. *Police Chief* – no report

c. *City Administrator* – He and **Commissioner Benton** toured the Museum Room to look at the work that needed to be done in order to complete the work on City Hall. The original intent was to identify the individual components of the work that needed to be done so they would be able to prepare a bid document that could be advertised and acted upon. At the conclusion of their walk-thru, they identified a significant number of items that needed to be addressed, some of which would need some thought given to them. They came to the conclusion that it would be simpler and less expensive if he and **Commissioner Benton** undertook the task of managing and coordinating this work effort rather than preparing the bid documents and putting it out to bid and then having to manage somebody else managing the project. **Commissioner Benton** has volunteered to coordinate the solicitation of quotes for the various components of the work and they would work together managing the overall project. He wanted feedback. **Commissioner Cooke** asked if they would be getting quotes for the work that needs to be done. **Don Findell** answered, "We would solicit at least three quotes for each of the component aspects of the work and then we would make a determination as to which of the service providers could provide the work in the most reasonable and responsive manner - who would provide the work at the least, best cost." **Commissioner Benton** said he'll be getting three or more bids. **Mr. McIntosh** said we needed to designate Mr. Benton as "Clerk of the Works" with reference to work in the Museum Room. **Commissioner Snowden** asked if the work might be accomplished before the election this year, inasmuch as Mr. Benton is on the ballot for re-election. **Commissioner Benton** said the job will be completed whether he wins or loses and no money will be going to him, just like with the Trailhead project. The money to pay for the renovation will come out of the Unemployment Compensation Reserve Fund and will cost in the neighborhood of \$11,000.

Commissioner Snowden moved to authorize Commissioner Benton to work in conjunction with **Don Findell** to tackle the project in the Museum Room in City Hall
Commissioner Cooke seconded.

All zones and the Mayor voted yes. (Commissioner Benton could not vote and must recuse himself per City Attorney McIntosh's instruction)

Mr. Findell's second item to report was about the speakers in the commission chambers that would allow those on the dais to hear their colleagues who they sit among. The speakers

currently point to the audience and the Commissioners, et al, have a hard time hearing each other. Vince Venero, from LMG, suggested something unconventional which was independently controlled speakers in front of each of them on the dais. He doesn't know how practical that is but he is looking into it. **Commissioner Snowden** said we should be able to muffle the air conditioning noise which would help a lot.

d. *Code Enforcement Officer* – no report

MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE

Zone 1: **Commissioner Robbins** would like to set up a meeting, maybe in September, regarding Hopkins Hall rental fees. She said she'd check other nearby cities to find out their rates so we'd have something to work with. **Mayor Duffy** suggested that we go over the fee schedule for all our facilities. We'd need to know the capacity of each facility.

Commissioner Robbins mentioned the woman from a few months ago who requested that we let her make payments on a cemetery plot. Mr. Bob Williams, who most people around town know, graciously donated one of his plots to her.

Finally, she wanted to mention the metal at Lemon Street well that we could be selling for scrap. **Commissioner Benton** said that was brought up three months ago and it should be done soon because the price given for metal is coming down. **Commissioner Cooke** said Ricky (Mullen) was getting together with Keith (Chester) because material needs to be stripped off the meters before it can be loaded and taken to the dump – Keith was going to have some of the kids help do this. **Commissioner Benton** wanted to know why it can't be loaded onto a city truck instead of using a private vehicle. **Commissioner Cooke** answered that a bigger truck is needed. **Don Findell** said it would be declared surplus property. **Commissioner Snowden** added that he could help Ricky Mullen find more abandoned equipment around town to salvage.

Zone 2: **Commissioner Cooke** said he finally got a phone call from the county that they'll be out to finish up Pennsylvania Avenue. Also, they're going to work on the intersection at Ohio Avenue and Lakeview Drive where it's badly cracked, they'll be re-grading that area. There are a few smaller jobs that they're also working on, especially some tree work.

Zone 3: **Commissioner Snowden** has nothing to report

Zone 4: **Commissioner Benton** would like to have another budget workshop. He doesn't want to talk about revenue, he wants to talk about where we're going to cut expenses. He doesn't want people to think we're going to take the \$67,750 out of reserves. All we've talked about is revenue and not about cuts that can be made. **Commissioner Snowden** said we should come up with ideas about how to also raise revenue. **Don Findell** said the reason they haven't focused on cuts is because his budget already reflects cuts. He said you can refine the numbers, but if it costs a certain amount to run the city, that's what must be spent. **Commissioner Benton** said that nobody is going to make cuts if they know the money will

always be taken out of reserves. He said nobody knows what's been spent by Public Works. **Don Findell** said that would be the case with all the departments. You have expenses that can be accounted for on a monthly basis, on a line item by line item basis. What you don't have are the individual details for every one of those accounts. But he sees the detail and he used those details to develop the budget. Every year he'd ask Ann (Robbins) about these details. **Mayor Duffy** said she understands what Commissioner Benton is saying but she doesn't know if we can make significant cuts especially when we have unexpected expenses like our current roof leak. **Commissioner Benton** says that's not what he's talking about; in any business there are those hidden expenses. He asked if nobody else wants to have another workshop, to just say so. He doesn't want the city employees in all the departments to just assume that expenses will be taken out of reserves. He said if every department cuts \$433/week, the budget will be balanced. But if there's no incentive to do it, it isn't going to be done. He voted against the credit card limit being raised to \$5,000. Jobs aren't going out for bid and nobody really knows what's going on. Individuals cut but the government doesn't. **Don Findell** said he has already gone through those individual line items and made cuts and gave the Commissioners something that's as reasonable as possible based upon what he sees from an historical perspective and what he sees from looking at the line item detail for revenues and expenditures. At the end of the day, however, there are certain fixed costs (although they're somewhat variable) involved in operating a government. It would be difficult to take the approach that if we just reduced expenditures in all departments by \$433/week.....he doesn't think it's realistic without impacting business. **Commissioner Benton** said, for example, that in City Hall, they always order supplies from one vendor and have no idea what other vendors are doing. **Don Findell** said that from a practical and realistic point-of-view, the savings would be minimal if a different approach was used.

The other thing **Commissioner Benton** wanted to talk about was something he brought up three months ago. It's nothing personal but on November 28th, Mr. Findell's time is up. We need to advertise because he doesn't want to wind up the same way we wound up with a Finance Manager who's going crazy trying to find out what's going on in that department or with the City Clerk who had nobody to train her. We should advertise now because it's not like a regular job - like advertising for a mechanic or a carpenter or a plumber. We need to do something and not wait until the last minute. That's the only reason he was bringing this up. **Commissioner Snowden** said in light of Commissioner Benton's recommendation, he would suggest looking at where the city is today and how the city has progressed. We still have a City Administrator functioning at almost full capacity - well beyond what his agreement called for. He has been at our beck and call to advise, help, contribute, etc. We now have two areas of litigation where we face serious consequences and it is critical that we have someone with the knowledge and experience to see us through these. We have on staff in this city, one of the finest Administrators in the state of Florida and to make a rash decision to let him go would be a mistake. He challenged the entire Commission to rethink and reconsider what we want to do about our City Administrator. **Commissioner Robbins** said that's all true but Mr. Findell did sign an agreement that he would depart on November 28th. She guessed it's a legal, binding contract so she thinks Commissioner Benton's point is that we don't want to leave ourselves in a predicament where we don't have some applicants that we can start interviewing and look

down the road. **Commissioner Snowden** suggests that we remove that offer from the table. A resignation can be rescinded, there's nothing that binds the city or Mr. Findell from all conditions of the contract. "A contract is a contract so long as both parties agree to the terms and conditions. It's subject to review. It's subject to change." **Commissioner Robbins** said she gave her resignation notice in December, but they didn't start advertising until March and then it was two months. We got someone who knew the software programs which made it easy for her and she understands what Commissioner Benton is saying and we don't want to be "hung out to dry." **Commissioner Benton** said that happened with Jeannie (Barlow). **Commissioner Snowden** said he's made a point of contacting the employees of the city, those who work hand-in-hand and day-to-day with the functions of this community and they attested to the fact that this city is well served by what we have in Mr. Findell. He said it would be extremely hard to replace the caliber or talent of Mr. Findell, even with two people, not to mention the expense. **Commissioner Robbins** said they said that about her too. She remembered one commissioner saying "when you leave, they're going to have to hire three people" – it didn't happen. Nobody is indispensable. "I had a boss one time who said "if you take this glass of water and stick your finger in it and nobody saw you do it....nobody saw you do it, so, nobody is indispensable." **Commissioner Snowden** said he thought Ms. Robbins should recognize more than anybody the tenacious drive that Mr. Findell had in securing her continued employment and retirement and looking out for her as an employee and that she can't dispute that in any way. She responded that she'd never disputed that. **Commissioner Snowden** said that they really need to consider in what direction the city wants to go. **Commissioner Robbins** had a question that she directed to the City Attorney and Nancy (Wilson) which was, "where do we stand with the item that's supposed to be on the ballot in November?" **Mr. McIntosh** said he could tell her where we stand today. "The issue that has been presented by the Charter Review Committee does not meet the requirements of the statute as a clear and unambiguous question with reference to modification of the charter. Much work needs to be done in that regard. That matter was discussed with the City Administrator before tonight's meeting and he is going to be sure that we appropriately handle the questions that will ultimately be submitted for the November referendum. We are not ready today. We, the commission, are not on the same page as the Charter Review Committee. The Charter Review Committee in their product has not convinced those of us who are staff members that they know exactly what they want to do regarding modification of the charter so as to allow Ms. Wilson and I to prepare a clear and unambiguous ballot." **Commissioner Benton** said the only reason he brought it up was because there was an agreement that was signed and on November 28th we could be without a City Administrator. He wasn't saying that Mr. Findell is not allowed to put his name back on the list. All he was saying is we need to do something and he's simply saying we should advertise for the position. This has nothing to do with Don Findell personally – what he did or didn't do. If Don (Findell) decides to take a walk, we have nothing. **Mr. McIntosh** said "if he decides to walk and leave the City of Lake Helen, I will sue him. Mr. Findell knows that and has known that since the first day we negotiated his contract." **Commissioner Benton** said he was talking about after November 28th. **Mr. McIntosh** said he could give Mr. Benton five names of headhunter companies to use that would cost Lake Helen nothing. They could fill any position the City wants but the City must know what it wants in order to get somebody on the job. He said there aren't many Mr. Findells – he is the 19th City Administrator/City Manager with whom the City

Attorney has dealt and if anybody would like to communicate with him on the subject privately, he'd be happy to give his analysis. **Mayor Duffy** said it wasn't anything we needed to decide on tonight.

Mayor: **Mayor Duffy** said we are going to have to get the roof fixed. Also, the newsletter that's on the web is our first edition. It's costing us nothing except for the few hard copies we print.

Commissioner Benton asked if we found the original paperwork from when the roofing work was done. **Mayor Duffy** said she's working on it.

The regular meeting of the City Commission of the City of Lake Helen, Florida was adjourned at 9:15 pm.