



# City of Lake Helen

Volusia County, Florida

Mayor Buddy Snowden  
Vice Mayor Vernon J. Burton  
Commissioner Tura Schnebly  
Commissioner Tom Wilson  
Commissioner Michael Woods

**Regular Meeting**  
**Lake Helen City Commission**  
August 11, 2016  
**MINUTES**

**CALL TO ORDER**

Mayor Buddy Snowden called to order the August 11, 2016 Regular Meeting of the Lake Helen City Commission at 7:01pm.

**Present:** Mayor Buddy Snowden      Vice Mayor Vernon Burton      Commissioner Tom Wilson  
Commissioner Tura Schnebly      City Clerk Becky Witte  
City Attorney Scott Simpson      City Administrator Jason Yarborough  
**Not Present:** Commissioner Michael Woods

**CALL TO ORDER: Mayor Buddy Snowden**

**LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE:** Led by **Lewis Long**

**BUSINESS OF THE COMMISSION:**

**ITEM 1: DELETIONS OR MODIFICATIONS TO AGENDA:**

**MOTION** by **Commissioner Tura Schnebly** to modify the agenda by placing Item 7a and 8a to be placed prior to the consent agenda Item 4. **SECOND** by **Commissioner Tom Wilson**. **MOTION CARRIED UNANIMOUSLY.**

**Item 2: COMMISSION ANNOUNCEMENTS**

**Commissioner Tom Wilson** announced the birth of his first grandchild.

**ITEM 3: PUBLIC HEARING: (Audio Minutes: 08:50)**

**Item 3a:** Public hearing to consider imposition of fire assessments

**City Administrator Jason Yarborough** gave a background on the Fire Assessment and introduced Consultant Chris Roe, Esq. Bryant Miller Olive and Erick van Malssen, Hawksley Consulting/Burton & Associates.

**City Attorney Scott Simpson** read the title of Resolution 2016-07:

A RESOLUTION OF THE CITY COMMISSION OF LAKE HELEN, FLORIDA, RELATING TO THE DELIVERY AND FUNDING OF FIRE RESCUE SERVICES AND FACILITIES WITHIN THE CITY; DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY FIRE RESCUE SERVICES AND FACILITIES; ESTABLISHING THE METHOD OF ASSESSING COSTS ASSOCIATED WITH FIRE RESCUE SERVICES AGAINST REAL PROPERTY SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE FIRE RESCUE ASSESSMENT ROLL FOR FISCAL YEAR 2016-17; PROVIDING THE METHOD OF COLLECTION; AND PROVIDING AN EFFECTIVE DATE.



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**Consultant Chris Roe, Esq.** from Bryant Miller Olive and **Erick van Malssen** from Hawksley Consulting/Burton & Associates presented the Fire/Rescue Assessment Study.

***Mayor Buddy Snowden opened the Public Hearing (Audio Minutes: 26:00)***

Peter Hantstime (169 N. Prevatt Ave)  
Lewis Long (176 N. Euclid Ave)  
Ann Robbins (572 Hobart Ave)  
Wilma Thompson (131 Ash Drive)  
Eleanor Sabatini (139 Willow Lane)  
Vikki Loeffler (814 Pleasant Street)  
Roger Eckert (247 Vermont St)  
Kent Titcomb (711 Lemon Avenue)  
June Troy (421 Roseville Lane)  
John Rogers (109 Sycamore Lane)  
Mark Moir (893 Vista Street)  
Kari Egglefield (266 W. Park Ave)  
Raymond Long (925 McKenzie Road)  
Betty O'Laughlin (715 McKenzie)  
Caryn Long (176 N Euclid)  
Alan Cooke (792 Oak Tree Lane)  
Craig Wickham (711 Lemon Avenue)  
Rhonda Janitch (131 Birch Lane)  
Lewis Long (Euclid Avenue)

***Mayor Buddy Snowden closed the Public Hearing (Audio Minutes: 01:06:58)***

**Consultant Chris Roe, Esq.** from Bryant Miller Olive and **Erick van Malssen** from Hawksley Consulting/Burton & Associates answered questions from citizens.

**City Attorney Scott Simpson** asked about home occupations which **Erick van Malssen** answered was based on date provided by Volusia County Property Appraiser.

**City Attorney Scott Simpson** asked **Chris Roe, Esq.** to explain the methodologies for doing the assessment- availability and call volume and why Lake Helen decided on Call Volume. Erick van Malssen also provided input on the Call Volume methodology.

**City Attorney Scott Simpson** asked about court cases on the Call Volume methodology and Chris Roe, Esq. confirmed the methodology has been upheld in court. Recommendation of the most legally defensibility, but Chris Roe said both methodologies are defensible but the Call Volume methodology meets the needs of Lake Helen.

**City Attorney Scott Simpson** asked what is needed to substantiate any reduction.



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**Commissioner Tura Schnebly** addressed the questions which asked why did the City opt out of the Fire District and to explain the lesser service negotiated. **Commissioner Schnebly** explained the assistance of Lake Helen Police Department to assist with the cost of lower Fire costs and that it was no true lesser service. **Commissioner Schnebly** discussed a road paving program.

**City Attorney Scott Simpson** discussed the reason to exit the County's Unified Fire District.

**City Administrator Jason Yarborough** discussed call volume in which the Police Department responded for Fire Services was 31% since January.

**Vice Mayor Vernon Burton** discussed emergency medical calls were not factored in to the equation.

**Chris Roe, Esq** explained that only calls that were strictly fire were factored into the equation.

**City Attorney Scott Simpson** asked about benefits to the property and the special assessment.

**Commissioner Tura Schnebly** discussed fire functions.

**Vice Mayor Vernon Burton, Commissioner Tom Wilson, and Mayor Buddy Snowden** clarified a few questions from the audience. Questions raised by **June Troy** (Roseville Ave) answered by **Mayor Buddy Snowden, Commissioner Tom Wilson, Vice Mayor Vernon Burton** and **Commissioner Tura Schnebly**.

**Kari Egglefield** (266 W. Park Ave) asked about City of DeBary fire services and fees.

**Mayor Buddy Snowden, Commissioner Tom Wilson, Vice Mayor Vernon Burton, City Attorney Scott Simpson** and **Commissioner Tura Schnebly** discussed questions asked by the public.

**Raymond Long** (925 McKenzie Road) discussed home owners insurance cost.

**Tom Beckman** (Villas) revenue for the City.

**Lewis Long** (176 Euclid Avenue) discussed location of the Fire Station.

**Roger Eckert** (247 Vermont St) discussed revenue from I-4 and **Erick van Malsen** thought that cost may go to the County of Volusia with input from **City Administrator Jason Yarborough**.

**Commissioner Tom Wilson** discussed inquires on a volunteer fire department.

**Dennis Thompson** (131 Ash Lane) Unincorporated 911 Streets as well as ambulance services answered by **Commissioner Tura Schnebly** and **Mayor Buddy Snowden**.

**Kent Titcomb** (711 Lemon Avenue) discussed the process.



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**Commissioner Tura Schnebly** discussed communication.

**City Administrator Jason Yarborough** discussed a phone call placed to Kent Titcomb regarding the fire assessment.

**Kent Titcomb** and **Craig Wickham** discussed communication.

**Vice Mayor Vernon Burton** discussed text alert system.

**Commissioner Tom Wilson** discussed getting involved in City Government.

**April Porkum (Villas)** clarified that the land owner of the Villas will be assessed the fee. Residents will not receive a bill from the City of Lake Helen.

**Dennis Thompson** (131 Ash Lane) comments on the discussion.

**Item 3b:** Resolution 2016-07 Final Fire Assessment Resolution (**Audio Minutes: 2:40:51**)

**City Attorney Scott Simpson** read the title of Resolution 2016-07 again:

A RESOLUTION OF THE CITY COMMISSION OF LAKE HELEN, FLORIDA, RELATING TO THE DELIVERY AND FUNDING OF FIRE RESCUE SERVICES AND FACILITIES WITHIN THE CITY; DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY FIRE RESCUE SERVICES AND FACILITIES; ESTABLISHING THE METHOD OF ASSESSING COSTS ASSOCIATED WITH FIRE RESCUE SERVICES AGAINST REAL PROPERTY SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE FIRE RESCUE ASSESSMENT ROLL FOR FISCAL YEAR 2016-17; PROVIDING THE METHOD OF COLLECTION; AND PROVIDING AN EFFECTIVE DATE.

**MOTION** by **Commissioner Tom Wilson** to adopt Resolution 2016-07, Adoption of Final Assessment.

**SECOND** by **Vice Mayor Vernon Burton**.

**Discussion.** **Commissioner Tura Schnebly verified that the findings in Section 3 are true and correct.**

**Chris Roe responded yes.**

**MOTION CARRIED UNANIMOUSLY.**

**ITEM 7: COMMISSION CONSIDERATION (Audio Minutes: 2:56:42)**

**ITEM 7A:** Consideration of Cost Proposal for Development of Architectural Style Guidelines for Gateway Corridor.

*Cost Proposal requested at July Meeting for creation of specifics within the Gateway Corridor Land Development Regulation.*

**City Administrator Jason Yarborough** discussed the Cost Proposal which was requested at July Meeting for creation of specifics within the Gateway Corridor Land Development Regulation.



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**Commissioner Tura Schnebly** inquired if this scope of work was part of the contract. **City Attorney Scott Simpson** answered that it would be an addendum to the existing contract with GAI.

*Discussion*

**Commissioner Schnebly** good with the concept but would like attached to the existing contract.

**MOTION** by **Commissioner Tura Schnebly** to approve in concept the items delineated in the letter from GAI together with specificity through the City Administrator and City Attorney with addendum signed by the consultant and brought to the City Commission for Approval. **SECOND** by **Vice Mayor Vernon Burton**.

*Discussion*

**Chris Williams** (Garden Street)

**MOTION CARRIED 3-1 with Commissioner Tom Wilson voting no.**

**ITEM 8: Commission Discussion: (Audio Minutes: 03:14:01)**

**Item 8a:** Discussion of Appeals Process for Approval of Emerald Homes Elevations

**City Attorney Scott Simpson** described the appeal hearing process

**Scott A. Cookson, Esq, Shuffield Lowman Attorneys and Advisors** introduced himself as legal representative for DR Horton.

**City Attorney Scott Simpson** informed the Commission that the City Administrator's decision was quasi-judicial and that decision is being appealed to the City Commission.

**PUBLIC HEARING (Audio Minutes: 3:20:52)**

**Item 3c:** Second and final Reading of Ordinance 2016-04 Ballot Referendum for November 8, 2016

Approval of expending restricted net sale Proceeds from electric utility sale

*Final Reading of Ordinance to place ballot question on the November 8, 2016 Ballot*

City Attorney Scott Simpson read the Title of ORDINANCE 2016-04: AN ORDINANCE OF THE CITY OF LAKE HELEN, VOLUSIA COUNTY, FLORIDA, BRINGING FORTH A REFERENDUM QUESTION TO BE SUBMITTED TO THE VOTERS OF THE CITY AT THE NEXT GENERAL ELECTION SCHEDULED FOR TUESDAY, NOVEMBER 8, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Discussion of investment opportunities with input from City Administrator Jason Yarborough, City Attorney Scott Simpson, Ann Robbins (Hobart Ave).



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**MOTION** by **Commissioner Tom Wilson** to approve the Second and Final reading of Ordinance 2016-04, Ballot Referendum for November 8, 2016: Approval of expending restricted net sale proceeds from electric utility sale with caveat that funds cannot be spent unless a declared emergency by the Governor.

**SECOND** by **Vice Mayor Vernon Burton**.

*Discussion with input from City Attorney Scott Simpson, City Administrator Jason Yarborough as well as Betty O'Laughlin (McKenzie Rd)*

**WITHDRAW** of **MOTION** by **Commissioner Tom Wilson**.

*Discussion with input from Roger Eckert (247 Vermont St), Jim Connell (Tangerine Avenue) as well as Kent Titcomb (711 Lemon Ave).*

#### **Item 4 CONSENT AGENDA: (Audio Minutes: 04:12:05)**

Item 4a: Approval of Minutes for July 14, 2016 (Regular Meeting), August 3, 2016 (Special Meeting)

Item 4b: Bills paid through July 31, 2016

Item 4c: Consent to send letter in support of the Volusia Governments Water Resource Compact  
*Requested at the July Regular Meeting for City Administrator to compose a letter in lieu of Resolution in support of the Volusia Governments Water Resource Compact.*

Item 4d: Consideration of Resolution 2016-08 Budget Adjustments  
*Budget Adjustments made within the FY 2015-2016 Budget Year.*

**MOTION** by **Commissioner Tom Wilson** to approve the consent agenda which includes July 14, 2016 (Regular Meeting), August 3, 2016 (Special Meeting), Bills paid through July 31, 2016, Consent to send letter in support of the Volusia Governments Water Resource Compact as well as adoption of Resolution 2016-08 Budget Adjustments.

**WITHDRAW** of **MOTION** by **Commissioner Tom Wilson**

**MOTION** by **Commissioner Tom Wilson** to approve the consent agenda which includes July 14, 2016 (Regular Meeting) with changes to the Minutes as introduced by Commissioner Tura Schnebly, August 3, 2016 (Special Meeting), Bills paid through July 31, 2016, Consent to send letter in support of the Volusia Governments Water Resource Compact as well as adoption of Resolution 2016-08 Budget Adjustments.

**SECOND** by **Commissioner Tura Schnebly**.

*Discussion*

**MOTION CARRIED UNANIMOUSLY.**

#### **ITEM 5: MONTHLY REPORTS: (Audio Minutes: 04:24:00)**

**ITEM 5A:** Planning and Land Development Regulation Commission: **City Administrator Jason Yarborough** read the report from PLDRS Chairman Joseph Hammett which discussed the Comp Plan as well as the next meeting set for September 19, 2016.

**ITEM 5B:** City Administrator/City Engineer: **City Administrator Jason Yarborough** discussed the RFP for Café Food Vendor, Florida Fish and Wildlife regarding Lake Macy improvements to present at an upcoming



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meeting on September 7, 2016 with discussion from the City Commission. He also discussed the reports regarding City Properties for potential sale.

**ITEM 5C:** City Attorney: No report

**ITEM 5D:** Police Chief and Code Enforcement Officer: **City Administrator Jason Yarborough** provided an update on 190 W. Park Ave.

**ITEM 6: PUBLIC FORUM:**  
**(Audio Minutes: 04:38:02)**

**Betty O'Laughlin** (McKenzie Rd) discussed an idea for Town Hall Meetings, two meetings a month, a meeting report as well as patronizing local businesses.

**Roger Eckert** (247 Vermont Street) discussed fire.

**(Audio Minutes: 04:46:03 )**

**Item 8b:** Discussion of Comprehensive Plan Update Special Meeting Dates  
*Setting the next special meeting date for the Comprehensive Plan Update will be handled by staff and input from Alan Cooke (Oak Tree Lane)*

**ITEM 10: MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE (Audio Minutes: 04:55:24)**

**Vice Mayor Vernon Burton** discussed a football team at Massey James called the Little Hatters.

**Mayor Buddy Snowden** noted a grave marker received today for Prevatt cemetery through efforts of Sons of the Confederacy.

**ITEM 11: ADJOURNMENT: Mayor Buddy Snowden** adjourned of the August 11, 2016 Regular Meeting of the Lake Helen City Commission at 12:00 am on August 12, 2016.