

Regular Meeting
Lake Helen City Commission
April 10, 2014

MINUTES

CALL TO ORDER

Mayor Buddy Snowden called to order the April 10, 2014 Regular Meeting of the Lake Helen City Commission at 7:05 pm.

Present:

Mayor Buddy Snowden
Vice Mayor Ann Robbins
Commissioner Rick Basso
Commissioner Vernon Burton
Commissioner Cameron Lane
City Administrator KC Cichon
City Attorney Jennifer Nix
City Clerk Wendie Levings

INVOCATION OR MOCIFICATIONS TO AGENDA

Invocation and Pledge of Allegiance was led by Comm. Lane

DELETIONS OR MODIFICATIONS TO AGENDA

Comm. Burton stated a letter that was submitted to the city on April 2, 2014 was to have been part of the agenda.

MOTION by Comm. Burton for Comm. Burton's letter to be added to the agenda as item Consideration 7K. **SECOND** by Comm. Basso. **Motion** carried unanimously.

1. MINUTES: March 13, 2014 & April 2, 2014

Vice Mayor Robbins made a correction to the March 13, 2014 minutes; page 10; to change Orlando airport to Daytona airport.

MOTION by Comm. Lane to approve the March 13, 2014 and April 2, 2014 minutes as presented with the correction by Vice Mayor Robbins. **SECOND** by Vice Mayor Robbins. **Motion** carried unanimously.

2. CONSENT AGENDA

Comm. Burton inquired about the CAC final inventory.

Admin. Cichon indicated the perishable items were given to organizations churches/ ministries.

Vice Mayor Robbins noted there were a couple of food items purchased on March 13th. Thought there would have been some indication not to accept those items

MOTION by Comm. Basso to accept the Consent Agenda bills as presented. **SECOND** by Comm. Burton. **Motion** carried unanimously.

MOTION by Comm. Burton to accept the Earth day proclamation by the Mayor. **SECOND** by Vice Mayor Robbins. **Motion** carried unanimously.

MOTION by Vice Mayor Robbins to accept the Water Conservation Month proclamation by the Mayor. **SECOND** by Comm. Burton. **Motion** carried unanimously.

Mayor Snowden read the proclamation for City Clerk Wendie Levings; presented her a certificate and pin for 15 years of service with the City of Lake Helen.

3. PRESENTATIONS:

A) Presentation of report from Betty O'Laughlin regarding the March 19th citizen meeting: Future of the Creative Arts Café Restaurant.

Mrs. Betty O'Laughlin, McKenzie Road, Lake Helen and gave a presentation / summation of the citizen meeting regarding the Creative Arts Café. She indicated citizens would like to see the café reopen for breakfast hours. Ms. O'Laughlin outlined ideas how the café could be run to produce a breakfast menu. She recommended the city clerk oversee the operation. She also indicated that someone should be there to oversee the maintenance and upkeep of the building.

Comm. Basso suggested it would not be practical for the city clerk to be in charge of the daily operations. He indicated that to open the facility without a clear conscious business plan was foolish. He felt the community, as a whole, was conflicted about the facility.

Mayor Snowden appreciated the number of people that gathered for the CAC meeting and asked Mrs. O'Laughlin to give a copy of her presentation to the clerk. He suggested using the café for a pancake breakfast during the April antique car show and that may help to gather more information from the community.

Mrs. O'Laughlin was concerned about nothing happening in regards to the café. She indicated she was willing to put in the time and effort towards finding a solution.

Comm. Basso said the events coordinator needed to be involved with that.

Comm. Burton commented the city could sell the kitchen equipment.

Mayor Snowden said there was a component to the echo grant that referenced a snack bar.

4. MONTHLY REPORTS

7:50

a) City Engineer: no report

b) Local Planning Board: no report

c) Parks and Recreation Board:

Parks & Recreation Chairman, James 'Ranger' Taylor approached the podium and spoke of the food truck affair indication it was a big hit and scheduled the next even for August 16. Mr. Tyler said the Easter event was going as planned; then he discussed the 'movies in the park' equipment

MOTION by Comm. Basso to appoint and authorize Vice Mayor Robbins to research and purchase the movie in the park equipment. **SECOND** by Comm. Burton. **Motion** carried unanimously.

d) Event Coordinator:

Events coordinator: Johnny Chavis approached the podium and gave her monthly report.

5. PUBLIC FORUM:

Mr. Elliot Marsh 360 N. Goodwin St. approached the podium to ask for a waiver of his water bill late fees of \$35.

Comm. Basso thought that there was a policy to waive late fees for first time offenders.

Comm. Lane agreed and mentioned the water bill extension availability.

MOTION by Comm. Basso to waive the \$35 water bill late fee. **SECOND** by Comm. Burton.

Mayor Snowden considered the matter was best suited to be handled by city staff.

Motion carried unanimously.

There was a discussion regarding policy and procedures for water billing complaints.

Mr. Tony Florio approached the podium to request permission to remove a tree in an unknown right-of way

Atty. Nix cautioned only allowing the permit to go forward to the owner of the property.

It was determined the tree was located on unrecorded r-o-w property.

MOTION by Comm. Lane to allow removal of the tree located on Perry Lane. **SECOND** by Comm. Basso. **Motion** carried unanimously.

Mr. Alan Cooke, 792 Oak Tree Lane, Lake Helen approached the podium to voice his disappointment that the city entryway signs had yet to be erected.

Admin. Cichon conveyed the delay by the Florida Department of Transportation's release to begin construction at the site on Main Street.

Kristina Tschantre approached the podium to suggest that city staff could put the water billing due date on the city marquee.

7. COMMISSION CONSIDERATION:

A) Consideration of hiring Becky Witte as the City Clerk.

Admin. Cichon announced he would miss Ms. Levings as city clerk. He also added that Ms. Witte could be summed up in one word as 'amazing'.

Comm. Burton indicated that Ms. Witte was still on probation with the city and that when Ms. Levings was hired as an internal candidate, it was because she had 15 years of experience with the city.

Comm. Burton suggested he would be more comfortable to open up for more applications. When Cissy left we did not have anyone to hire internally. I have Nancy Wilson's application here. To kill two birds with one stone we can choose to hire from within and without.

Vice Mayor Robbins stated the city had set precedence many years back regarding hiring from within including the past administrator, present police chief, present public works superintendent and also promotions from within. The Vice Mayor stated Ms. Witte has 8 years of government experience.

Comm. Burton said that then the city would have to find someone to fill Ms. Witte's position and would have to look outside. We are opening up two fronts.

Comm. Basso It provides an opportunity to learn under tutelage and Nancy has that connection with the community. When she retires next time you (Ms. Witte) will be ready for that position.

Mayor Snowden noted it raises flags in that we take care of our own first but if we had a big pool of employees it would be good but perhaps it is better to open the field. Nancy is a devoted employee that has spent a lot of time with the City of Lake Helen.

Comm. Basso I do not have a problem with Becky taking interim until we find a clerk.

Mayor Snowden to me it is a cleaner process to put this out for advertising.

Atty. Nix: I had spoken to Lonnie about this and he had provided EEOC materials. It is our opinion that the net has not been cast wide enough. He had asked about the demographics of the employees.

Comm. Lane we can only cast the net so wide marketing the job internally and that does not make sense.

Comm. Burton: an internal request would not raise as many flags if we were the size of DeLand.

Comm. Lane: I am asking that if any job comes open in this city we cannot promote within? Because the net will not be any bigger in the future.

Vice Mayor Robbins: This did not come up when Wendie was hired or when Mike was hired.

Comm. Lane why is it coming up now?

There was a discussion regarding past promotions and hiring's from within the city.

Atty. Nix stated Lonnie had mentioned that it would have been different if it had been someone that had been with the city and had experience and had been watching what the city clerk was doing for years. Someone that had only been here for a limited time needed to be brought to the commission's attention.

Comm. Burton we have the ability to advertise from without and get applications that would be submitted and then let the commission do our job. I do not like it being made for me. Why don't we just put it out for bid and let Nancy Wilson and Becky Witte submit applications to widen our pool.

Range of salary for city clerk was discussed.

MOTION by Comm. Burton make an advertisement for city clerk with a range of salary of \$46,000 to \$50,000. **SECOND** by Comm. Basso.

Mayor Snowden asked Admin. Cichon how long to advertise.

Admin. Cichon responded that if the concern was to have a wide net it should be at least four weeks.

Comm. Basso the first thing we need to do is name Ms. Witte as interim clerk; the second is that we advertise for about two weeks.

There was discussion regarding appointing the City Admin. as City Clerk per the city charter.

Ms. O'Laughlin approached the podium and spoke about the City Charter and Nancy Wilson.

Heather Lindsay, 222 Tangerine Ave., Lake Helen approached the podium and stated that anyone who had a business with someone who walked out because they didn't like someone else would not be offered that position again but.... now you are going to offer this position back to Nancy...are you kidding me?

Ms. Betty Doherty approached the podium and spoke about Nancy Wilson may have made a mistake but thought she was the better-qualified person for the job. It is a waste of time to advertise.

Atty. Nix repeated Atty. Groot's opinion that the city needed to cast the net wider. City Admin. needs to be appointed as city clerk per the city charter.

Motion carried 3-2 with Vice-Mayor Robbins and Comm. Lane voting no.

MOTION by Comm. Lane to appoint the City Administrator as acting city clerk or designee in his absence. **SECOND** by Comm. Basso. **Motion** carried unanimously.

Mayor Snowden spoke saying the city commission designated you (Admin. Cichon) as city clerk; it is within your established authority as supervisor to use your discretion as to designee of duties and to be sensitive to budget adjustments.

Places to advertise were discussed; interim city clerk position was discussed.

Atty. Nix: so I can relay it properly to Lonnie: KC was appointed by motion under the city charter as city clerk and or to delegate to someone else and he has some latitude as to compensation.

Admin. Cichon: For future hiring I would recommend hiring a specialist to assist the city in the hiring and interview process so that we can be clear as to the internal or external process and so we do not revisit this in the future.

B) Consideration to appoint Debbie Nizynski to the Parks & Recreation Board and Historic Board.

Ms. Debbie Nizynski, Lake Helen Osteen Road. Lake Helen approached the podium to answer questions. She noted she was not sure if the Parks & Rec Board was where she should be appointed and explained the ideas to help the Lake Helen community.

MOTION by Vice Mayor Robbins to appoint Debbie Nizynski to the Parks & Recreation Board and the Historic Board. **SECOND** by Comm. Burton. **Motion** carried unanimously.

C) Consideration to appoint Kristina Tschantre to the Parks & Recreation Board.

Ms. Kristina Tschantre approached the podium to answer any questions.

MOTION by Vice Mayor Robbins to appoint Kristina Tschantre to the Parks and Recreation Board. **SECOND** by Comm. Lane. **Motion** carried unanimously.

D) Consideration of request by Blake Memorial Day School to be added to the Facility User Modification List for annual use of Hopkins Hall with waiver of fees.

MOTION by Comm. Lane to approve the request by Blake Memorial Day School to be added to the Facility User Modification List for annual use of Hopkins Hall with waiver of fees. **SECOND** by Comm. Burton. **Motion** carried unanimously.

E) Consideration of request by Ms. Rebecca Fox for funds for the Annual Miss Lake Helen/Cassadaga Contest.

Ms. Rebecca Fox and Mrs. Jerrylyn Burton approached the podium to provide the request, budget for the previous year and to answer any questions.

Mayor Snowden commented that the previous year's budget concessions did not include providing funds for outside activities.

Miss Driggers approached the podium and gave opinion that participating girls and their parents should find ways to fund the event.

Mayor Snowden and Comm. Basso offered a donation of \$100.

There was the usual discussion as to the opinion that the Miss Lake Helen contest should go back to 'the way it used to be'.

Ms. Fox and Mrs. Burton explained the role of the younger group of Miss Lake Helen noting there were more participants in that category.

Comm. Basso suggested funding from the city in the amount of \$200.

Ms. Fox objected and Mrs. Burton noted the event was for the community of Lake Helen.

MOTION by Comm. Basso to approve funding the Miss Lake Helen Pageant in the amount of \$200. **SECOND** by Comm. Burton. **Motion** carried unanimously.

F) Consideration of submitting the National Pollutant Discharge Elimination System (NPDES) Annual Report to the Florida Department of Environmental Protection.

MOTION by Comm. Lane to approve submitting the National Pollutant Discharge Elimination System (NPDES) Annual Report to the Florida Department of Environmental Protection. **SECOND** by Comm. Basso. **Motion** carried unanimously.

10:15

G) Consideration of submitting a waiver of the NPDES permit to the Florida Department of Environmental Protection.

MOTION by Vice Mayor Robbins to approve submitting a waiver of the NPDES permit to the Florida Department of Environmental Protection. **SECOND** by Comm. Basso. **Motion** carried unanimously.

H) Consideration of submitting a Ceridian Confidentiality & Delegate Agreement

Comm. Basso was not convinced that the city got best value on the dollar with Brown & Brown.

Comm. Lane was concerned with HIPPA laws.

MOTION by Comm. Lane to approve submission of the Ceridian Confidentiality & Delegate Agreement. **SECOND** by Vice Mayor Robbins. **Motion** carried 4-1 with Comm. Basso voting no.

I) Consideration of Resolution 2014-03 regarding the adoption of City personnel policies and procedures; appointment of the City Commission as the Personnel Review Board.

Comm. Burton expressed concern about the six month review process.

Comm. Basso agreed that evaluations needed to be performed by department heads. He was willing do whatever the commission desired.

Vice Mayor Robbins suggested reviving the old citizen personnel board.

MOTION by Comm. Lane to adopt Resolution Number 2014-13 and all accompanying exhibits thereto as presented for consideration. **SECOND** by Comm. Basso. **Motion** carried unanimously.

J) Consideration to advertise for a Public Hearing per Community Development Block Grant.

Admin. Cichon gave an overview of CDGB and other county/state funding and recommendations for sidewalks on Pleasant St.

There was discussion regarding CDBG projects and sidewalks on Pleasant Street and easements.

MOTION by Comm. Lane to direct staff to advertise for a Public Hearing per the Community Development Block Grant to be held on April 28, 2014 at pm. **SECOND** by Comm. Basso. **Motion** carried unanimously.

K) Consideration of the letter presented by Comm. Burton to the City Commission

Comm. Burton read his letter to the Commission.

Comm. Basso commented he appreciated Comm. Burton's opportunity to get the matter off his chest but was unsure as to what he wished the commission to do.

There was the usual discussion as to the positive and negatives of the Administration.

11.23

8. Commission Discussion:

A) Discussion regarding a request from Waste Pro for a rate adjustment

Mr. Ted Oglesby from Waste Pro approached the podium to present the request and answer questions.

Comm. Basso several years ago when we reupped the contract it was done with the intent of keeping the rates low.

Mr. Oglesby indicated he had just stepped into the position. This is a request at council's discretion.

Vice Mayor Robbins spoke about the history of Waste Pro taking waste to the Tamoka station versus the current transfer station noting the current station was much closer and there had been no change in assessed fees.

There was discussion as to the exact amount of adjustment.

Comm. Basso asked if a decision was necessary that evening and suggested looking at what may be available out there.

B) Discussion regarding the Budget Calendar for the FY 15 Budget development process.

Admin. Cichon this is what was prepared for the commission last year. April 28th for budget development workshop and August 21st if needed Admin. Cichon gave public hearing dates.

C) Discussion regarding the City Owned Bus Policy and Procedures.

City Clerk Levings indicated the changes shown in the policy and procedures were simple house keeping as the responsibility for renting the city bus had been through the City Clerk's office for a number of years.

Admin. Cichon indicated the policy would come back to the commission by resolution.

There was discussion by the commission regarding the last two discussion items it was noted the items would have been good to discuss at the retreat:

D) Discussion regarding the obtainment of State compliance for the City of Lake Helen's Comprehensive Plan

E) Discussion regarding Strategic Planning for the City of Lake Helen

It was the consensus of the commission to discuss items D & E at a workshop to be held on May 6, 2014 at 9 am.

MOTION by Comm. Burton to move discussion of items 8D and 8E and the CAC utilization to the scheduled workshop, Tuesday, May 6, 2014 at 9:30 am. **SECOND** by Comm. Lane. Motion carried unanimously.

9. STAFF REPORTS:

a. City Attorney

Atty. Nix gave Atty. Groot's regrets for not being able to attend the meeting.

b. Police Chief

Chief Mike Walker requested commission permission to enclose the pole barn located in Blake Park in metal and add two roll up doors in order to use it for storage.

c. City Administrator

Admin. Cichon indicated department heads planned a staff luncheon and would be using some of the inventory at the Creative Arts Café.

d. Code Enforcement Officer

10. Mayor's Report and Commissioners' Reports by Zone

Vice Mayor Robbins commented that she had positive comments about her after every evening.

Comm. Burton stated he had his first great grand child two days ago.

Comm. Basso commented that he felt for anyone on the planet that was not treated fairly.

Mayor Snowden asked the commission to attend functions they signed up for. He mentioned, again, utilizing the CAC kitchen for a pancake breakfast.

Comm. Lane indicated he would not be comfortable with inviting Nancy Wilson back as employee of the city. Vice Mayor Robbins agreed.

11. Adjournment

Mayor Snowden adjourned the April 10, 2014 Regular Meeting of the Lake Helen City Commission on April 11, 2014 at 12:21 am.

The end