



City of Lake Helen City Commission Agenda

*August 9, 2018 at 7:00pm
City Hall City Commission Chambers
327 S. Lakeview Drive, Lake Helen, Florida 32744*

CALL TO ORDER: Mayor Daisy Raisler

CEREMONIAL MATTERS: Legislative Prayer and Pledge to the Flag

PUBLIC HEARING FOR SPECIAL ASSESSMENTS:

1. Public hearing to consider imposition of special assessments

Consultant Chris Roe, Esq. Bryant Miller Olive to provide presentation followed by Public Input during the Public Hearing.

2. Resolution 2018-09 Final Assessment Resolution

Final Resolution to approve the assessment roll for FY 2018-2019.

BUSINESS OF THE COMMISSION:

ITEM 1: Additions, Deletions and Modifications to the Agenda

ITEM 2: Recognitions, Proclamations and Presentations:

Item 3a: Recognitions: Recognition of visiting candidates for office (2018 Election Cycle)

Item 3b: Proclamations: 50th Anniversary of Municipal Home Rule in Florida

Item 3c: Presentations: None for this meeting

Item 3: Public Forum: *This time has been allocated for public comment on any item or topic not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers must approach the podium, give name and address.*

Item 4: Commission Discussion / Reports

Item 4a: Commissioner Tom Wilson, Zone 1

Item 4d: Commissioner Jim Connell, Zone 4

Item 4b: Vice Mayor Vernon Burton, Zone 2

Item 4e: Mayor Daisy Raisler

Item 4c: Commissioner Michael Woods, Zone 3

ITEM 5: Consent Agenda

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items. The Mayor will ask if there is anyone in the audience who wishes to speak on any item on the Consent Agenda.

Item 5a: Approval of Board Meeting Minutes:

Request the Commission approve the minutes from the following Meetings:

1) July 12, 2018 Regular Meeting

2) July 17, 2018 Budget Workshop

Item 5b: Acceptance of Bills paid through July 31, 2018

Request the Commission accept the bills paid report through July 31, 2018.

Item 5c: Consideration of Agreement with TD Bank for Financial Services

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At the July 12th Regular Meeting, the City Commission selected TD Bank as our financial services provider and authorized the City Administrator to negotiate agreement. Staff has negotiated and reviewed the proposed agreement and recommends the City Commission authorize the City Administrator to execute the agreement with TD Bank.

Item 5d: Consideration of recording Notice Annexation of the I-4 AutoMall Property did not occur.

Request the City Commission authorize the Mayor to execute the attached Notice and instruct the City Clerk to Record with the Volusia County Clerk of Court.

The Annexation of the AutoMall properties was contingent upon applicant acquiring Parcel 7025-01-00-0170 and Parcel 7025-01-00-0180 by July 1, 2018 and submitting to the city a consent of said parcel otherwise this ordinance shall become null and void.

The consent was not received. Since the contingency for the ordinance becoming effective was not satisfied, the annexation ordinance never became effective and therefore the annexation has not occurred.

Item 5e: Consideration of Authorizing the City Administrator to execute Memorandum of Understanding with Ivy Hawn Charter School

Request the City Commission authorize the City Administrator after review and approval from the City Attorney to execute a Memorandum of Understanding with Ivy Hawn Charter School. The Memorandum of understanding will address financial partnership for cleaning and maintenance of Blake Park, visual improvements along Ohio Avenue (including landscaping and fencing/wall).

Item 5f: Public Works Facility Update

Monthly update is delayed due to staff vacations. An update will be provided in September.

Item 5g: Consideration of Cooperative Economic Development Agreement

Request the City Commission authorize the Mayor to execute the attached Cooperative Economic Development Agreement. This is an annual agreement with Team Volusia, but this year they are requesting \$1,345.00. Previous agreements have been for \$1,325.00.

Item 6: Monthly Reports:

- Item 6a: Planning and Land Development Regulation Commission
- Item 6b: City Administrator / City Engineer
- Item 6c: City Attorney
- Item 6d: Police Chief / Code Compliance
- Item 6e: Lake Helen Business Alliance
- Item 6f: Lake Helen Events

Item 7: Public Hearings:

Item 7a: PUBLIC HEARING: Resolution 2018-10 Inducement Resolution

RESOLUTION NO. 2018-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE HELEN, FLORIDA EXPRESSING ITS INTENT TO ISSUE ONE OR MORE SERIES OF THE CITY'S EDUCATIONAL FACILITIES REVENUE BONDS, EITHER TAXABLE OR TAX-EXEMPT, OR BOTH, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$18,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING, INCLUDING THROUGH REIMBURSEMENT, THE COSTS OF THE PROJECT (AS HEREINAFTER DEFINED); AND APPROVING AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH.

QUASI-JUDICIAL – CERTIFICATE OF APPROPRIATENESS:

The Historic Preservation Board at its regular meeting on July 31, 2018 used the criteria set forth in the City of Lake Helen Land Development Code to review the completed applications and accompanying submittals.

Staff requests the City Commission execute the attached Certificate of Appropriateness for each application. All parties shall be given the opportunity to present evidence through documents, exhibits, testimony, or other means. All parties shall be given the opportunity to rebut evidence through cross-examination or other means. The applicants will be responsible for recording the executed Certificate of Appropriateness with the Volusia County Clerk of Court.

Item 7b: CERTIFICATE OF APPROPRIATENESS: Fence at 291 W Delaware Avenue

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Item 7c: CERTIFICATE OF APPROPRIATENESS: New Single-Family Residence at 351 W Delaware Avenue

Item 7d: CERTIFICATE OF APPROPRIATENESS: New Single-Family Residence at 433 W Park Street

Item 7e: CERTIFICATE OF APPROPRIATENESS: New Single-Family Residence at 375 W Delaware Avenue

Item 7f: CERTIFICATE OF APPROPRIATENESS: New Single-Family Residence at 351 W Park Street

Item 7g: CERTIFICATE OF APPROPRIATENESS: New Single-Family Residence at 376 W Delaware Avenue

Item 7h: CERTIFICATE OF APPROPRIATENESS: Metal Roof at 351 Lemon Avenue

Item 7i: CERTIFICATE OF APPROPRIATENESS: Fence at 360 S Lakeview Drive

Item 7j: CERTIFICATE OF APPROPRIATENESS: Fence at 230 N. Summit Avenue

Item 7k: LEGISLATIVE – SECOND AND FINAL Reading of Ordinance 2018-08 Amendment to the Land Development Code, Temporary Signs

Request the Commission adopt Ordinance 2018-08 amending the Land Development Code, Temporary Sign Code – Second and Final Reading. The City Commission requested the Planning and Land Development Regulation Commission reviewed this item at their June 25, 2018 Regular Meeting and is recommending approval of the attached ordinance. The City Commission approved the first reading on July 12, 2018.

ORDINANCE 2018-08

AN ORDINANCE OF THE CITY OF LAKE HELEN, FLORIDA, AMENDING ARTICLE 4 OF THE CITY OF LAKE HELEN CODE OF ORDINANCES TO ALLOW FOR TEMPORARY SIGNS OF GREATER SIZE DURING CONSTRUCTION OF A NEW STRUCTURE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR AMENDMENTS TO ARTICLE 4; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

Item 8: Commission Consideration

Item 8a: Settlement Agreement with the City of DeLand

The City of DeLand reviewed the Settlement Agreement at their August 6, 2018 meeting.

Item 8b: Resolution 2018-12 Release of Annexation Clause

On February 8, 2018, the City of Lake Helen and J. Brendan Hurley (Individual and Manager of the I-4 Automall, LLC) entered into an Indemnification and Defense Agreement. Section 3 of the Agreement is a COVENANT NOT TO ANNEX INTO OTHER JURISDICTIONS which states the “developer agrees that it will not seek voluntary annexation of the Project or any portion thereof into any other jurisdiction other than the City.” With the Settlement agreement with the City of DeLand, Mr. Hurley is required to annex a portion of the property into the City of DeLand. The City must release him from this clause in the Indemnification and Defense Agreement.

Item 9: Closing Remarks / Adjournment

NOTICE:

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk prior to the beginning of the meeting. These forms are available at the front table or through the City Clerk for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (386) 228-2358, no later than one business day before the meeting.