



City of Lake Helen

Volusia County, Florida

MAYOR

Buddy Snowden

COMMISSIONERS

Ann Robbins

Vernon Burton

Rick Basso

Cameron Lane

Regular Meeting Lake Helen City Commission

November 13, 2014

MINUTES

CALL TO ORDER

Mayor Buddy Snowden called to order the November 13, 2014 Regular Meeting of the Lake Helen City Commission at 7:01 pm.

Present:

Mayor Buddy Snowden	Vice Mayor Ann Robbins	Commissioner Vernon Burton
Commissioner Rick Basso	Commissioner Tura Schnebly	Commissioner Cameron Lane
City Clerk Becky Witte	City Attorney Jennifer Nix	
Interim City Administrator Jason Yarborough		

CALL TO ORDER: Mayor Buddy Snowden

Mayor Buddy Snowden thanked Commissioner Cameron Lane for his service to the City Commission.

CEREMONIAL MATTERS: LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

Led by Lewis Long.

BUSINESS OF THE COMMISSION:

Resolution 2014-13 Certifying Election Results

MOTION by Commissioner Cameron Lane to approve the Resolution 2014-13 Certifying Election Results. **SECOND** by Vice Mayor Ann Robbins. **MOTION CARRIED UNANIMOUSLY.**

INSTALLATION CEREMONY

The City held an installation ceremony to swear in Commissioner Vernon Burton and Commissioner Tura Schnebly. City Clerk Becky Witte gave the oath of office to Commissioner Vernon Burton whose wife and Pastor Bradley held the Bible and to Commissioner Tura Schnebly whose Bible was held by Betty Doherty and Dene Masters.

Mayor Buddy Snowden allowed each newly elected official to say a few words.

PROCLAMATIONS AND AWARDS: None

BUSINESS OF THE COMMISSION:

ITEM 1: DELETIONS OR MODIFICATIONS TO AGENDA:

ITEM 2: COMMISSION ANNOUNCEMENTS

Vice Mayor Ann Robbins discussed Community Club on November 21, 2014 and wished Commissioner Basso and Kathie a happy wedding anniversary.



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ITEM 3: APPROVAL OF MINUTES: October 9, 2014 (Regular)

MOTION by Vice Mayor Ann Robbins to approve the Minutes of October 9, 2014 (Regular). **SECOND** by Commissioner Rick Basso. **MOTION CARRIED UNANIMOUSLY.**

ITEM 4: CONSENT AGENDA:

Item 4a: Bills paid through October 31, 2014

Item 4b: Brent Milikan's engagement letter for FY 2014

Item 4c: CDBG (Community Development Block Grant) Sub recipient Agreement

MOTION by Commissioner Rick Basso to approve Item 4a: Bills paid through October 31, 2014. **SECOND** by Commissioner Vernon Burton. **MOTION CARRIED UNANIMOUSLY.**

Item 4b: Brent Milikan's engagement letter for FY 2014

Commissioner Tura Schnebly discussed her recent discussion with the Finance Manager regarding the budget and requested the auditor amending the agreement with a schedule of hourly rates. She also asked for a clarification regarding an item within the document.

MOTION by Commissioner Tura Schnebly to request staff to refine the stated areas of concern specifically eliminating item 2 on page 1 of the document and include a schedule of rates in which is referenced in the letter of engagement. **SECOND** by Vice Mayor Ann Robbins .

Commissioner Rick Basso asked Finance Manager Michael Wright if any delays would be caused with addressing these concerns.

MOTION CARRIED UNANIMOUSLY.

Mayor Buddy Snowden took the opportunity to introduce the **Interim City Administrator Jason Yarborough**.

Item 4c: CDBG (Community Development Block Grant) Sub recipient Agreement on the Consent Agenda.

Interim City Administrator Jason Yarborough explained the CDBG (Community Development Block Grant) Sub recipient Agreement which allows the City of Lake Helen to utilize two years of funding to complete the Pleasant Street improvement projects. He noted that this type of agreement would not be available in the future.

MOTION by Vice Mayor Ann Robbins to approve Item 4c: CDBG (Community Development Block Grant) Sub recipient Agreement on the Consent Agenda to authorize the Mayor and staff to enter into the agreement. **SECOND** by Commissioner Vernon Burton.

City Attorney Jennifer Nix noted that new legal counsel would need to be added.

MOTION CARRIED UNANIMOUSLY.



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ITEM 5: PRESENTATIONS TO THE COMMISSION: None

ITEM 6: MONTHLY REPORTS:

ITEM 6A: City Engineer: None

ITEM 6B: Local Planning Agency (PLDRC): **City Clerk Becky Witte** noted an upcoming meeting set for Monday, November 17, 2014 regarding concept plan for the Dollar General and the concept plan for the Lake Helen Villas Expansion.

Commissioner Rick Basso asked about a breach of Sunshine Law to attend the PLDRC meeting. The Commission discussed attending meetings such as PLDRC and Commissioner Vernon Burton gave a history of the decision to not attend.

City Attorney Jennifer Nix said that attendance is discouraged but may attend.

City Clerk Becky Witte noted the upcoming Historic Preservation Meeting on Tuesday, November 18, 2014.

ITEM 6C: Parks and Recreation Board:

City Clerk Becky Witte reported on Family Fun Nights, Pot Luck in the Park set for Saturday, November 15, 2014 (the girls scouts are making table decorations and there will be a collection box there for non perishable food donations for Blake Church), Turkey Shoot, decorating of City Hall the weekend after Thanksgiving, Christmas Tree Lighting, Christmas Parade and Winter Wonderland, Christmas Ball, as well as next year's events.

ITEM 7: PUBLIC FORUM:

Chuck Miller (N. Lakeview Drive) regarding removal of animal, particularly horse waste. He asked for a ban of horses on Lakeview Drive.

Mayor Buddy Snowden discussed the City Ordinances and thanked him for bringing the issue to the attention of the Commission.

Pat Sheddy (E. Michigan Avenue) regarding the Lake Helen Garden Club discussed putting a toilet in the existing garden shed and adding a shed to the site.

Mayor Snowden asked for her to contact City Clerk Becky Witte.

Roger Sonnenfeld (N. Lakeview Drive) regarding the PLDRC and the audio minutes available the next day.

Betty O'Laughlin (McKenzie Road) discussed the removal of animal, particularly horse waste. She discussed education and how horse manure will not make someone ill.

Mayor Buddy Snowden suggested working with City Clerk Becky Witte regarding creating a brochure.

Mrs. O'Laughlin discussed her efforts to educate the public.

Vice Mayor Ann Robbins noted that this should be for any animal.



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Vince Cudo (N. Lakeview Drive) regarding the Creative Arts Café usage and asked that they should slow down on awarding the proposal. He discussed the teen center program as well as Sunshine Law and PLDRRC attendance. He asked that the Commission look at the building being used as a teen center.

Mayor Buddy Snowden noted the topic would be discussed later in the agenda.

Mr. Cudo suggested a coalition of citizens to assist with the programs.

The Commission discussed the ECHO grant as well as the programs offered at the Creative Arts Café.

Commissioner Vernon Burton discussed the history of the programs and the Creative Arts Café.

Commissioner Rick Basso discussed the original intention of the Creative Arts Café and the history of the café.

Mayor Buddy Snowden noted that the kitchen was not included in the ECHO grant.

ITEM 10 – TIME CERTAIN 8:00 PM Discussion of Virginia Drive

Vice Mayor Ann Robbins discussed Virginia Drive and the research she conducted on the history of Triple S subdivision. She discussed the water line, the development of the subdivision, as well as her research she conducted for her constituents in Zone 1.

Portia Wrobkewski (Virginia Drive) said that a compaction test was not performed.

Vice Mayor Ann Robbins discussed the work orders completed by Public Works.

Interim City Administrator Jason Yarborough discussed a recent conversation with City Engineer Steve Danskine. He discussed estimates and safety concerns. The engineer did not foresee an immediate safety concern.

Mayor Buddy Snowden said he recently discussed this with Public Works Superintendent Rick Mullens.

Vice Mayor Ann Robbins discussed the property values

The Commission discussed the history of the properties, bond and they City owned property on Virginia Drive.

Portia Wrobkewski (Virginia Drive) discussed the history of a proposed park and the properties on Virginia Drive.

Alan Cooke (Oak Tree Lane) discussed the history of the Triple S Subdivision. He discussed the City of Lake Helen receiving a piece of property on Virginia Drive from Zev Cohen in 2002. He discussed potential solutions and he offered to assist with possible solutions.

The Commission discussed the history of the subdivision and potential action.

Commissioner Vernon Burton asked for the action requested.

Todd Wrobkewski (Virginia Drive) said he and his neighbors are asking for Commission action regarding the deterioration of the road.

Commissioner Vernon Burton noted a similar the need of many Lake Helen roads including Ohio Avenue issues.

Mayor Buddy Snowden noted that Vice Mayor Ann Robbins will be following up with City staff.

Commissioner Tura Schnebly requested the photographs presented be marked with addresses.

Commissioner Rick Basso noted that the City will work on addressing the issues of Virginia Drive.

Vice Mayor Ann Robbins said she was hoping the City would go forward with a bore.

Interim City Administrator Jason Yarborough said he will get further information and will look into hazard mitigation funding.



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Commissioner Rick Basso volunteered working with Alan Cooke and **Interim City Administrator Jason Yarborough** to work on possible solutions.

Alan Cooke (Oak Tree Lane) noted that stormwater funds may be available for possible solutions.

ITEM 8: PUBLIC HEARINGS: None for this meeting

ITEM 9: COMMISSION CONSIDERATION:

ITEM 9A: Consideration of Proposals for RFP #14-001 City Food Vendor

Mayor Buddy Snowden discussed the Food Vendor Request for Proposal. He noted that one applicant submitted a proposal.

Commissioner Vernon Burton discussed there was only one applicant and noted that the respondent put together a very serious effort to respond to the RFP. He noted the credible proposal and said he was impressed by the proposal.

Vice Mayor Ann Robbins questioned the legal ad run in the News Journal and the advertisement requirements.

City Attorney Jennifer Nix noted that the RFP was advertised on the City website.

Commissioner Rick Basso said the result of the RFP was a failure since there was one respondent. He said he would suggest negotiating with the respondent. He noted that he does not necessarily agree with the entire proposal but the Commission should decide whether to negotiate or start the process over.

Commissioner Tura Schnebly discussed the details needing to be addressed. She discussed several items of concerns including other venues, culinary classes, as well as impacts to the entire facility.

Mayor Buddy Snowden discussed the food vendor able to provide as several city facilities.

City Attorney Jennifer Nix again suggested discussing the proposal with the County ECHO grant coordinator before entering into any agreement.

Commissioner Vernon Burton discussed the septic tank system requirements and issues including upgrading the existing septic tank.

Mayor Buddy Snowden discussed the septic tank and the drainfield as well as single service use.

Commissioner Tura Schnebly discussed the need to negotiate within 30 days.

Jim Newell (434 Norris Lane) said he is new to Lake Helen and said he would like to respond to the RFP.

Alan Cooke (Oak Tree Lane) discussed the original use of the Creative Arts Café and the need of activities at the facility. He also discussed the solutions for the septic tank issues.

Lewis Long (N. Euclid Avenue) discussed advertising in the Legal Ad section of the News Journal. He also discussed the respondent.

Brian Johnson (Macy Avenue) discussed the respondent and the community's support of him.

Jim Newell (434 Norris Lane) said he would put in a bid but missed the advertisement.

Commissioner Vernon Burton discussed the Legal Ads and meeting requirements. He said that as long as the Creative Arts Café is closed everyone is losing. He also discussed the history of renting the facility and use of alcohol at the facility.



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MOTION by **Commissioner Rick Basso** to move forward with negotiations with Mr. Alvarado, Sandy's Diner for RFP #14-001 for the City Food Vendor. **SECOND** by **Commissioner Vernon Burton**.

Discussion:

Commissioner Tura Schnebly asked for clarification.

Michael Wright, Finance Manager discussed the utility cost of approximately \$25,000 to \$35,000 per year.

Paul Alvarado (Sandy's Diner) introduced himself to the Commission.

Commissioner Vernon Burton asked to introduce his culinary background and **Mr. Alvarado** explained his resume in the culinary business.

City Attorney Jennifer Nix asked for clarification regarding awarding the RFP.

Commissioner Tura Schnebly clarified asking if the award was being given and then a contract to be executed within 30 days.

City Attorney Jennifer Nix asked if the county would be contacted regarding the proposal.

Mayor Buddy Snowden noted that staff will communicate with ECHO personnel.

Commissioner Vernon Burton discussed the possibility of an extension of the 30 day time frame.

City Attorney Jennifer Nix discussed concerns of the thirty day time period.

Commissioner Tura Schnebly and City Attorney Jennifer Nix discussed the need for negotiations within thirty days.

Commissioner Tura Schnebly requested an amendment subject to an agreement satisfactory to the Commission.

AMENDED MOTION by **Commissioner Rick Basso** to move forward with negotiations with Mr. Alvarado, Sandy's Diner for RFP #14-001 for the City Food Vendor subject to an agreement satisfactory to the Commission. **SECOND** by **Commissioner Vernon Burton**. **MOTION CARRIED UNANIMOUSLY**.

The Commission discussed a date for the negotiations and the logistics of discussions.

Mayor Buddy Snowden discussed contacting the ECHO grant coordinator. He asked if the Commission could allow staff and one member of the Commission to negotiate the agreement.

Commissioner Tura Schnebly asked if the City Attorney had prepared a contract.

City Attorney Jennifer Nix discussed a model contract presented to the City previously.

Commissioner Rick Basso asked if **Commissioner Schnebly** and the **City Attorney** would be comfortable drafting the documentation.

Commissioner Tura Schnebly discussed her concerns with drafting the agreement.

City Attorney Jennifer Nix noted that it would be an agreement to provide services.

Commissioner Rick Basso suggested compiling an agreement with the legal concerns and the RFP response.

MOTION by **Commissioner Rick Basso** to direct to City Attorney draft a proposed agreement with Mr. Alvarado. **SECOND** by **Commissioner Vernon Burton**.



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Commissioner Tura Schnebly asked the motion be amended that the Food Vendor Agreement would be the basis of negotiations.

Commissioner Rick Basso agreed to the amendment.

Mayor Buddy Snowden asked that staff be included in constructing the agreement.

AMENDED MOTION by **Commissioner Rick Basso** to direct to City Attorney to work with staff to draft a proposed agreement with Mr. Alvarado that would be the basis of negotiations. **SECOND** by **Commissioner Vernon Burton**. **MOTION CARRIED UNANIMOUSLY.**

City Attorney Jennifer Nix asked for clarification if the entire Commission would sit as the negotiation team.

The Commission set a special meeting for Monday, December 1, 2014 at 10:30am.

ITEM 9B: Consideration of Resolution 2014-12 Budget Revision

Mayor Buddy Snowden read the title of Resolution 2014-12.

RESOLUTION NO. 2014-12, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE HELEN, FLORIDA, AMENDING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2013-2014 BY ADJUSTING REVENUE AND EXPENSES; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION by **Vice Mayor Ann Robbins** to approve Resolution 2014-12 Budget Revision. **SECOND** by **Commissioner Tura Schnebly**. **MOTION CARRIED UNANIMOUSLY.**

ITEM 9C: Consideration of Actuarial Valuation for Police Pension Program

Interim City Administrator Jason Yarborough discussed the audit and said the cost of the actuarial would be taken from the Pension Fund.

MOTION by **Vice Mayor Ann Robbins** to authorize the Mayor to sign the proposal for Southern Actuarial Services to complete the actuarial valuation for this fiscal year, starting October 1, 2014. **SECOND** by **Commissioner Vernon Burton**.

Commissioner Tura Schnebly asked about the cost and **Vice Mayor Ann Robbins** noted the cost is taken from the pension fund.

MOTION CARRIED UNANIMOUSLY.

ITEM 9D: Consideration of Consultant for the Comprehensive Plan Update

Interim City Administrator Jason Yarborough discussed the need to address the Comprehensive Plan. He discussed reaching out to three organizations to provide responses. He also discussed the water supply plan which must be updated as well.



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Greg Beliveau from LPG and Clay Ervin from Lassiter Transportation Group, Inc discussed the State requirements for the Comprehensive Plan.

Commissioner Tura Schnebly and Greg Beliveau from LPG discussed the Evaluation and Appraisal Report and the process.

Greg Beliveau from LPG discussed his firm's proposal and the availability to add additional meetings.

Commissioner Tura Schnebly noted that she would like to see additional community meetings.

Commissioner Vernon Burton discussed prices of proposals, the water supply element, and the process of the Comprehensive Plan update. He asked Mr. Beliveau for a time frame for completing the update in which Mr. Beliveau answered approximately 7 months.

Alan Cooke (Oak Tree Lane) asked if changes would be incorporated in the Comprehensive Plan Update for example adding retail use in certain areas.

MOTION by **Commissioner Vernon Burton** to proceed with LPG for \$15,000.

Commissioner Tura Schnebly questioned **Greg Beliveau from LPG** on elements within the proposal presented from his firm.

Alan Cooke (Oak Tree Lane) noted that the Commission had budgeted \$15,000 to get started.

MOTION by **Commissioner Vernon Burton** to accept the proposal from LPG for \$15,000. **SECOND** by **Commissioner Rick Basso**.

Commissioner Tura Schnebly asked for **Greg Beliveau from LPG** to articulate the additional items.

Greg Beliveau from LPG noted the 3 additional meeting to be included in the proposal with a total of 8 meetings.

AMENDED MOTION by **Commissioner Vernon Burton** to accept the proposal from LPG for \$15,000 to include the addition of 3 meetings in the proposal which would total of 8 meetings. **SECOND** by **Commissioner Rick Basso**.

Commissioner Tura Schnebly asked for **Greg Beliveau from LPG** if a consultant agreement is available which he will provide to the Interim City Administrator.

Commissioner Tura Schnebly said she received a positive report regarding LPG from Michael Woods who sits on the PLDRC.

MOTION CARRIED UNANIMOUSLY.

Mayor Buddy Snowden requested a five minute recess.

Mayor Buddy Snowden reopened the meeting with the need to reappoint the Vice Mayor.

MOTION by **Commissioner Vernon Burton** to reappoint Vice Mayor Ann Robbins to the position as Vice Mayor. **SECOND** by **Commissioner Rick Basso**. **MOTION CARRIED UNANIMOUSLY.**



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ITEM 11: STAFF REPORTS

ITEM 11A: City Attorney:

City Attorney Jennifer Nix discussed the public records policy available for staff to review. She asked about text messaging and record keeping for the policy.

Commissioner Vernon Burton asked about city email accounts.

City Attorney Jennifer Nix asked about the Hopkins Hall rental agreement. **Mayor Snowden** answered that staff will be working on those policies.

City Attorney Jennifer Nix asked about a follow up email she sent regarding previous City Administrator KC Cichon's allegations. **Mayor Snowden** answered that no formal requests were made.

ITEM 11B: Police Chief and Code Enforcement Officer: **None**

ITEM 11C: City Administrator: Interim City Administrator Jason Yarborough thanked the commission and the community for the opportunity to serve as the interim City Administrator. He asked about new roles within the City Commission. Commissioner Vernon Burton volunteered for TPO.

MOTION by Commissioner Vernon Burton to appoint Commissioner Vernon Burton to TPO. **SECOND by Commissioner Rick Basso. MOTION CARRIED UNANIMOUSLY.**

Tura Schnebly volunteered be the alternate for the River of Lakes and TPO.

Interim City Administrator Jason Yarborough discussed the lack of contract with our current IT consultant.

Mayor Buddy Snowden discussed the availability of the IT consultant and asked that it be added to a future agenda.

City Commission agreed to change the January meeting to **Thursday, January 15, 2014.**

City Clerk Becky Witte announced that the Notice to Proceed for the entry way feature should be presented the following day.

ITEM 12: MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE

Commissioner Tura Schnebly noted how she looks forward to the future being on the Commission. She asked the status of the codification of the City ordinances.

City Attorney Jennifer Nix said she hopes to have something at the next meeting.

Commissioner Tura Schnebly discussed the option of a city cell phone paid by her from her compensation as Commissioner.

Commissioner Tura Schnebly asked how to add items to the agenda and the consideration of two regular meetings per month.

Mayor Buddy Snowden asked that Commissioner Schnebly discuss with staff adding the item to the agenda.



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Vice Mayor Ann Robbins noted a discount she receives for through her cell phone carrier.

Commissioner Tura Schnebly said she was concerned with the public records aspect.

Commissioner Rick Basso said he is opposed to two meetings per month.

Commissioner Vernon Burton discussed the lack of events coordinator and the Ivy Hawn veteran's celebration. He discussed Ivy Hawn achievements and the details of the expansion of the school. Commission Burton discussed the Creative Arts Academy celebration as well as provided an update on the cell phone tower. He announced that Ivy Hawn is collecting donations to provide toiletries for homeless veterans. Commissioner Burton mentioned the achievements of the Ivy Hawn School and Creative Arts Academy.

Mayor Buddy Snowden noted the capacity for the daycare and the possibility of transportation impacts. He encouraged getting to know the County Commissioners and making connections.

Commissioner Vernon Burton discussed getting to know other city officials.

Vice Mayor Ann Robbins discussed a meeting she recently had with a representative from the Early Learning Coalition for Volusia and Flagler. She noted the potential of a presentation from the Coalition. She noted that a previous Miss Lake Helen, Alyssa Siger was recently selected as Miss Volusia County Fair. She discussed Ernie DeBoliac's granddaughter who started Savannah's soldiers and her achievements. She also congratulated Commissioner Tura Schnebly and Commissioner Vernon Burton. She noted the stressbuster on December 24th.

Mayor Buddy Snowden discussed the Turkey Shoot next week.

ITEM 13: ADJOURNMENT

Mayor Buddy Snowden adjourned of the November 13, 2014 Regular Meeting of the Lake Helen City Commission at 12:07am on November 14, 2014.

The end.