



# City of Lake Helen

Volusia County, Florida

Mayor Daisy Raisler  
Vice Mayor Vernon J. Burton  
Commissioner Tom Wilson  
Commissioner Michael Woods  
Commissioner Jim Connell#

**Regular Meeting**  
**Lake Helen City Commission**  
April 12, 2018  
**MINUTES**

**CALL TO ORDER:** Mayor Daisy Raisler called to order the April 12, 2018 Regular Meeting of the Lake Helen City Commission at 7:16 pm.

**Present:**

Mayor Daisy Raisler	Vice Mayor Vernon Burton
Commissioner Tom Wilson	Commissioner Michael Woods
Commissioner Jim Connell	City Clerk Becky Witte
City Attorney Scott Simpson	City Administrator Jason Yarborough

**LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE:** During CDBG Public Input Meeting by Lewis Long.

**DELETIONS OR MODIFICATIONS TO AGENDA:** None

**COMMISSION ANNOUNCEMENTS:**

**Mayor Daisy Raisler** discussed Fashion Show on April 21, 2018 for Chamber, Volusia Growth Management Commission Meeting on April 25, 2018 at 7:00pm at Volusia County Council Chamber.

Introduction of Jeff Brower for Volusia County Council, District 1.

**Mayor Raisler** acknowledged former Mayor's Buddy Snowden and Mark Shuttleworth in the audience.

**PRESENTATIONS TO THE COMMISSION:**

**3a: Proclamation:** *Water Conservation Month*

**3b: Presentation by Mayor Daisy Raisler** regarding boundaries and annexation.

**Item 4a PUBLIC HEARINGS:** Second and Final Reading of Ordinance 2018-03 Codification of Ordinances

**City Attorney Scott Simpson read Title of Ordinance 2018-03:** A CODIFICATION ORDINANCE OF THE CITY OF LAKE HELEN, FLORIDA PERTAINING TO THE CODIFICATION OF THE LAKE HELEN CITY CODE/CODE OF ORDINANCES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR CODIFICATION OF DOCUMENT AS THE CITY CODE; PROVIDING FOR ADMINISTRATIVE ACTIONS RELATING TO EDITING OF THE CITY CODE AND THE FUTURE REVISION OF THE CITY CODE; PROVIDING FOR ACTIONS PERTAINING TO AN ONGOING CODIFICATION PROGRAM BY THE CITY; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR PENALTIES AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion with input from City Administrator Jason Yarborough, City Clerk Becky Witte and City Attorney Scott Simpson.



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**MOTION by Commissioner Tom Wilson** to approve the second and final reading of Ordinance 2018-03 for Codification of Ordinances and to not place the Comprehensive Plan on Municode. **SECOND by Vice Mayor Vernon Burton. MOTION CARRIED UNANIMOUSLY.**

**Item 4b PUBLIC HEARINGS:** Second and Final Reading of Ordinance 2018-01 Annexation

City Attorney Scott Simpson read Title of Ordinance 2018-01: Voluntary Annexation. AN ORDINANCE OF THE CITY OF LAKE HELEN, FLORIDA, ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED CONTIGUOUS TO THE CITY OF LAKE HELEN IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*; REDEFINING THE BOUNDARIES OF THE CITY OF LAKE HELEN TO INCLUDE SAID PROPERTY; PROVIDING FOR FINDINGS; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR PUBLICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

- **Applicant Presentation:** *Mark Watts, Cobb and Cole, representing I-4 Auto Mall and Brendan Hurley (I-4 Automall LLC)*
- **Staff report by City Administrator Jason Yarborough**
- **City of DeLand input by Darren Elkind, DeLand City Attorney**
- **Rebuttal:** *Mark Watts, Cobb and Cole, representing I-4 Auto Mall*
- **Public Comment:**  
Bill Brennan (500 Morganwood Drive, DeLand)  
Todd Preston (Connecticut Avenue)

Discussion with input from City Attorney Scott Simpson.

**MOTION by Vice Mayor Vernon Burton** to approve the second and final reading of Ordinance 2018-01 Annexation. **SECOND by Commissioner Tom Wilson.**

**Discussion.**

**MOTION CARRIED UNANIMOUSLY.**

**Item 4c PUBLIC HEARINGS:** First Reading of Ordinance 2018-04 Master Development Agreement for "I-4 Automall"

City Attorney Scott Simpson read Title of Ordinance 2018-04: AN ORDINANCE OF THE CITY OF LAKE HELEN, FLORIDA, REZONING APPROXIMATELY 56 ACRES OF PROPERTY WITHIN THE CITY LIMITS; SAID LANDS LYING NORTH OF ORANGE CAMP ROAD AND WEST OF INTERSTATE 4 (SR400) FROM COUNTY DESIGNATION OF RURAL AGRICULTURE (A-2), TRANSITION AGRICULTURE (A-3), HIGHWAY INTERCHANGE COMMERCIAL (B-6) AND CITY EMPLOYMENT CENTER WORKPLACE (ECW) TO CITY'S



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PLANNED DEVELOPMENT COMMERCIAL (PD-C); APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY ADMINISTRATOR TO AMEND THE ZONING MAP OF THE CITY OF LAKE HELEN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Discussion with input from City Attorney Scott Simpson.

- *City Clerk Becky Witte has a swearing in ceremony for those wishing to speak.*
- **Applicant Presentation:** *Mark Watts, Cobb and Cole, representing I-4 Auto Mall with discussion from the City Commission*
- **Staff report by City Administrator Jason Yarborough**
- **City of DeLand, Darren Elkind, DeLand City Attorney.** *Discussion with input from City Attorney Scott Simpson.*
- **Public Comment:**  
Roger Eckert (Vermont Street)  
Chuck Eminger (Westcott Lane, DeLand)  
Laurie Szymanski (204 Coleton Lane, DeLand)  
Todd Preston (Connecticut Avenue)
- **Rebuttal from Mark Watts, Cobb and Cole, representing I-4 Auto Mall**

Discussion with input from City Attorney Scott Simpson and City Administrator Jason Yarborough.

**MOTION by Commissioner Tom Wilson** to approve the first reading of Ordinance 2018-04 Master Development Agreement for "I-4 Automall". **SECOND by Vice Mayor Vernon Burton.** *Discussion.*  
**MOTION CARRIED UNANIMOUSLY.**

## ITEM 5: CONSENT AGENDA:

*The action proposed is stated for each item on the Consent Agenda in the Agenda Packet. 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 Minutes: March 8, 2018 (Regular Meeting), March 29, 2018 (Workshop)

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

Item 5c: Acceptance and Execution of Fiscal Year 2017/18 Hazard Mitigation Grant Program Funding

Item 5d: Authorization of Expenditure for HVAC Improvements

Item 5e: Resolution 2018-02 Billboards

Item 5f: Public Works Facility Update

Item 5g: Resolution 2018-03 Calling for Municipal Elections

Item 5h: Letter of Engagement for Special Assessment



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**MOTION** by **Commissioner Michael Woods** to approve the consent agenda of Item 5a: Approval of Minutes: March 8, 2018 (Regular Meeting), March 29, 2018 (Workshop), Item 5b: Acceptance of Bills paid through March 31, 2018, Item 5c: Acceptance and Execution of Fiscal Year 2017/18 Hazard Mitigation Grant Program Funding, Item 5e: Resolution 2018-02 Billboards, Item 5f: Public Works Facility Update, Item 5h: Letter of Engagement for Special Assessment as presented. **SECOND** by **Vice Mayor Vernon Burton**. **MOTION CARRIED UNANIMOUSLY.**

#### **Item 5d: Authorization of Expenditure for HVAC Improvements**

Discussion with input from City Administrator Jason Yarborough and City Attorney Scott Simpson.

**MOTION** by **Commissioner Michael Woods** to approve Item 5d: Authorization of Expenditure for HVAC Improvements. **SECOND** by **Commissioner Tom Wilson**. **MOTION CARRIED UNANIMOUSLY.**

#### **Item 5g: Resolution 2018-03 Calling for Municipal Elections**

City Attorney Scott Simpson read the title of Resolution 2018-03 Calling for Municipal Elections: **A RESOLUTION BY THE CITY OF LAKE HELEN, FLORIDA, CALLING FOR MUNICIPAL ELECTIONS TO BE HELD IN THE CITY OF LAKE HELEN, FLORIDA, ON AUGUST 28, 2018 (PRIMARY IF NEEDED) AND/OR TUESDAY, NOVEMBER 6, 2018 (GENERAL) FOR THE PURPOSE OF ELECTING A COMMISSIONER FOR ZONE 2 AND A COMMISSIONER FOR ZONE 4, EACH OF WHOM SHALL SERVE A TWO (2) YEAR TERM OF OFFICE TO COMMENCE AT THE FIRST REGULAR CITY COMMISSION MEETING FOLLOWING THE GENERAL ELECTION; SETTING CANDIDATE QUALIFYING DATES, AND PROVIDING FOR THE LOCATION OF THE POLLING PLACE AS STATED BY THE VOLUSIA COUNTY UNIFORM MUNICIPAL ELECTION SCHEDULE.**

**MOTION** by **Commissioner Jim Connell** to approve Item 5g: Resolution 2018-03 Calling for Municipal Elections. **SECOND** by **Commissioner Michael Woods**. **MOTION CARRIED UNANIMOUSLY.**

#### **Item 8: COMMISSION CONSIDERATION:**

**Item 8a:** Consideration of funding request from the Lake Helen Boys & Girls Club

Discussion with input from Joe Sullivan, Boys and Girls Club and City Administrator Jason Yarborough.

Consensus to discuss at the Budget Workshop.

**Item 8b:** Consideration of donation to the Committee to Save Lake Helen Lake.

Discussion with input from Todd Preston.

**MOTION** by **Vice Mayor Vernon Burton** to direct staff to donate \$2,000 to the Committee to Save Lake Helen Lake.



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MOTION Died due to a lack of a SECOND.

Possible Voting Conflict with Commissioner Jim Connell and Commissioner Michael Woods.  
Commissioners to contact the Florida Ethics Commission for direction.

Discussion with input from Lewis Long.

City Attorney Scott Simpson asked the City Clerk to send contact information for the commission on ethics to Commissioner Connell.

### **Item 8c:** Consideration of Volusia League of Cities Award Nominations

Discussion with input from Joe Hammett, Todd Preston, City Administrator Jason Yarborough, City Attorney Scott Simpson and City Clerk Becky Witte.

**MOTION** by **Commissioner Tom Wilson** to direct City Administrator Jason Yarborough to send the following nominations to Marilyn Crotty by April 17, 2018: Becky Witte, City Clerk as employee of the year and Todd Preston as Citizen of the Year. **SECOND** by **Commissioner Jim Connell**. **MOTION CARRIED UNANIMOUSLY.**

### **Item 6 MONTHLY REPORTS:**

**ITEM 6A:** Planning and Land Development Regulation Commission: **Chairman Joe Hammett** discussed the previous PLDR.

**ITEM 6B:** City Administrator/City Engineer: **City Administrator Jason Yarborough** discussed working with the City of DeLand on a Joint Planning with the City of DeLand. He discussed an upcoming Commission Workshop on May 11<sup>th</sup> at 1:00pm. He updated the City Commission on the FDOT Sound Abatement Tree Update as well as the JLAC Audit comments. Mr. Yarborough also gave an update on the DR Horton Homes within the Woods of Lake Helen.

**ITEM 6C:** City Attorney: None

**ITEM 6D:** Police Chief and Code Compliance: None

**ITEM 6E:** Lake Helen Business Alliance: None

**ITEM 6F:** Lake Helen Events: Becky Witte provided an update of Easter festivities and other upcoming events.

### **ITEM 7: PUBLIC FORUM:**

**Linda Swint (Goodwin Street)** discussed code enforcement issues.



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Emails from Chris Williams, Terry Pedlow, Kent Pedlow, Maryann Loshiavo, Joy Taylor, Sharon and Gary Heath, Bart Gawlikowski, June Troy entered into the record from Mayor Daisy Raisler.

## **ITEM 9: COMMISSION DISCUSSION:**

**Item 9a:** Discussion of ½ cent sales tax

Consensus to move discussion item to the May Agenda

**Item 9b:** Discussion of Garden Club / Asa Gray Park

Discussion with input from Lewis Long, Second Vice President of Lake Helen Garden Club.

City Administrator Jason Yarborough, City Attorney Scott Simpson and City Clerk Becky Witte.

## **ITEM 10: MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE**

**ITEM 11: ADJOURNMENT:** Mayor Daisy Raisler adjourned of the April 12, 2018 Regular Meeting of the Lake Helen City Commission on April 13, 2018 at 12:38am.