

City of DeBary
City Council Special Meeting
Wednesday
August 20, 2003
7 PM

Florence K. Little Town Hall
12 Colomba Road
DeBary, Florida 32713

MINUTES

I. Call to Order

II. Roll Call

Present: Mayor Carmen Rosamonda, Vice Mayor George Coleman, Council Member Danny Allen, Council Member Christopher Carson, and Council Member Richard Gunter

Others Present: City Manager Richard Diamond and Assistant City Manager Maryann Yaskanich

III. Business

1. Consideration of Contracts for 10-Year Anniversary Event

Patrick Fulton, Chairperson for the 10-Year Anniversary Committee, discussed that a contract for the Golf Tournament was available; that the addendum prepared by the City Attorney relieving the City of liability was available to provide to Jade Productions, but they were not able to finalize a production budget since a walkthrough of Gemini Springs Park was necessary to obtain measurements to determine lighting costs; that he would be meeting with the County to discuss the fees for the use of Gemini Springs Park; that two production companies had made presentations to the Committee; and that it was determined to use the production company's contract as an umbrella to cover liability issues for smaller entertainers. The addendum for liability was discussed and that contracts that had been provided already could be approved with the addition of the addendum.

The Golf Tournament contract was discussed; that it was estimated that 100 players would participate; that the proposed contract was set up for a guarantee of 60 players at \$75 each; that a non-refundable deposit of \$500 was required; that any difference in cost, if less players attended, would be paid by the City; that the Club had reduced the guarantee participation amount to 60% from their customary 80%; that it was expected that all costs would be covered; that revenues would come from sponsorships and entry fees; that expenses would be green and cart fees, luncheon and prizes plus miscellaneous costs; that a local committee comprised of DeBary Golf & Country Club members and employees was working on sponsors; that there was an estimate of 50 to 70 possible sponsors; and that 50-55 tournaments were planned each year by the Country Club.

Mayor Rosamonda entertained a motion to approve the DeBary Golf & Country Club Golf Tournament Contract as presented, pursuant to the signed Addendum being attached to the Contract. It was discussed that the Addendum would name the County as co-insured; that the City's insurance would not cover actions other than by the City; that the event was being held on private property, but was in cooperation with the City; and that the addendum should be included. Motion was made by Vice Mayor Coleman. Council Member Allen seconded. The motion carried unanimously.

Other contracts were reviewed for inclusion under the promotion company's contract; that the contract for the steel band could be approved but would be under the production company's contract. It was discussed that the smaller entertainers would be under the production company's contract, as they would not have the means to provide \$1,000,000 in liability coverage as individuals. Mayor Rosamonda entertained a motion to approve the New Generation Branches Steel Band Contract, dated June 14, 2003, with the provision that the signed addendum be included. It was discussed that the liability insurance would be covered under the production company's contract; and that the contract had to be signed by the production company. No motion was made.

The radio station contracts were discussed. The contracts needed to be approved so that the event's advertising could begin; that stations AM540 WFLA, Cool 100 and 107.7 were all Clear Channel stations. Mayor Rosamonda entertained a motion to approve the 107.7 contract for \$5,800, the 540 WFLA contract for \$1,750 and the Cool 100 contract for \$4,750 pursuant to the signing of the addendums for each contract. It was discussed that the addendums would provide that both the City and the County would be named under the radio stations' insurance for liability coverage. It was discussed that the radio stations were selected as family oriented; that 107.7 would cover all of Volusia; that the other two stations were selected to cover different audiences; that radio and TV personalities would attend the radio station's coverage; that regional advertising would draw more attendance; and that the AM station had well-known talk show personalities. It was discussed whether there was a channel available through Comcast; and that the general information channel could be checked on for advertising space. Motion was made by Council Member Gunter. Vice Mayor Coleman seconded. It was discussed that the AM channel could be taken out; that the TV stations were being considered but there were no specifics available. The motion carried unanimously. It was discussed that there should be separate addendums with each contract.

It was discussed that the production company contract should be available by next week and the remaining small entertainment contracts would be included; that the promoter would be providing additional entertainment to cover a variety of music types, set up grids, provide specific needs for the musical groups such as sound and lighting; that the size of the event made weather planning difficult; and that weather cancellations should be covered in the contract. It was discussed that the signed contracts would be provided to City Manager Diamond; and that, if there were changes or alterations, they would have to be presented again.

The invitation letters for specific dignitaries were reviewed; that there were letters for local dignitaries and for state government dignitaries; that all local and state dignitaries would be sent letters as well as the President; and that this event would be in an election year. It was also discussed that formal invitations would be sent closer to the date of the event. Collection of sales tax for the sale of beer and wine was discussed; that the City needed to decide whether to do sales

itself or have a vendor do sales; that there would be additional insurance requirements; that City Manager Diamond had an estimate of \$1,600 for insurance if a vendor were used; that specific information on the event would be required; that a small committee could be formed to funnel revenues back into the City; that a class could be attended to ensure compliance with age restrictions and responsibilities for ID checks; that a volunteer group could handle the distribution; and that the Division of Alcoholic Beverages could be contacted for the educational needs.

It was the consensus of the City Council that Mayor Rosamonda would prepare the letters for the dignitaries; that the opening events would be complimentary for dignitaries; that the number of complimentary tickets would be limited; that Florida State Representatives and federal dignitaries and their spouses only should be offered complimentary tickets; and that a deadline date should be set to accept the complimentary invitations.

2. Discussion of Recommended Annual Operating Budget for FY 2003/2004

City Manager Diamond discussed the Budget Goals of maintaining the current ad valorem tax rate; an increase in unrestricted reserve budget amounts was projected at 16% with a 10% increase to the opportunity fund land bank; that funding for infrastructure maintenance and improvements would be increased to \$2.6 million; that the current level of services was to be maintained but the need for additional employers would be explored; and that the Budget included two new positions, a Park Superintendent and a Planner.

Revenues were reviewed; a breakdown of recommended expenditures was reviewed; that the City Council's budget increase was primarily due to the 10-Year Anniversary Celebration expenses and participation in the Volusia County Water Authority; that a breakdown of expenditures was provided with past expense comparisons; and that various expenditures were similar to past years. It was discussed that operating expenses, memberships and publications included the Water Authority membership; that the figure of \$40,000 for membership in the Water Authority would be reduced depending on the number of municipalities that participate; that the current year's budget no longer included membership in the National League of Cities (NLC) and could be added back in at a cost of \$1,200; and that benefits would include the NLC Annual Conference and lobbying at federal levels. It was discussed whether there were any Council Members interested in attending the NLC annual conference, that the NLC offered educational opportunities and membership benefits; and that the \$1,200 NLC membership fee should be included in the budget. It was discussed that Ghayabi & Associates, Inc. represented the City at the Metropolitan Planning Organization Technical Committee meetings, that City staff can represent the City instead; that there might be conflict with Ghayabi & Associates due to their representation of Deltona; and that the contract was on a month-to-month basis and could be terminated with a 30-day notice. Travel expenses were discussed for the Council's conference attendance; that registration expenses for various conferences were included; that travel and per diem and lodging expenses were included for the Florida League of Cities conference; and that the figures should be increased to \$5,000 each for item registration and travel and per diem and would roll over if not used.

The City Manager's Budget was discussed; that an increase of 3.6% included additional expenses for document imaging, codification of the Land Development Code and an update to the salary

survey and an additional \$1,500 for a HAM Radio; that many categories were unchanged; and that insurance costs were less than had been budgeted in the prior year. It was discussed that current insurance coverage for liability was \$1.5 million; that there was limited liability under some circumstances; and that additional umbrella policies should be priced for \$2 million.

Other categories were reviewed and discussed; that the salary for the Planner was under the Growth Management and Development Budget; that there was not a salary range for the City Manager as it was a contractual position; that there was a range set for the Assistant City Manager and the Financial Administrator; that increases for the Assistant City Manager and Financial Administrator should be considered; that the salary studies gave recommendations; that the entire City Staff should be reviewed; that the clipping service for newspaper articles was no longer necessary; and that the salary survey would be brought in for discussion of increases later in the meeting.

The budget for Legal Services was discussed; that there had been an adjustment in the last fiscal year due to an additional litigation; that extensive litigation was not anticipated in the coming year and the budget could remain at \$100,000; and that there might be a need for another budget adjustment for the current year.

Law enforcement included contract services for \$1.9 million and the law enforcement budget includes the lease, taxes and maintenance of the substation building for a total increase of 5.9%; that Fire Services was for contract services only for an increase of 4%. It was discussed that impact fees had been paid by new construction in the City in the past for Fire Services equipment; that the DeBary Volunteer Fire Association had donated the Town Hall building to the County when the County took over those services and in turn the City was deeded Town Hall by the County. There is a restriction in the transfer that the Volunteer Fire Association could use the building for their pancake breakfast fundraisers in perpetuity.

It was discussed that the growth management code administration budget had increased by 44.7% for building, permitting and inspection services as had been presented by Volusia County; that hourly rates and the number of billable hours were increased; that development activity was projected to decline but building activity to increase; and that development fees had been increased by the County to strive for the breakeven of expenses and revenues. The organizational chart was reviewed; that the Planner would be reporting directly to the City Manager; that the Planner could reduce the contract obligations with the County; that the Planner would eliminate the Comprehensive Plan review expense of \$10,000 to \$20,000 per year currently paid to the County and would coordinate the zoning and development reviews, assist with economic development activities, historic preservation and code enforcement; and that Scott Ashley and Palmer Panton from the County would still be presenting to the City Council.

Salary discussions for City staff were reopened; that City Manager Diamond was in the process of review for his contract; that salary ranges that were below mid-range should be increased and then annual increases would occur when due; that if any salaries were at maximum, then bonuses could be applied as necessary; that staff would be preserved by applying increases; that City Manager Diamond's salary would be addressed at the review; that it appeared to be the consensus of the City Council to increase all staff salaries that were currently below mid-point to mid-point; and that an additional \$10,000 could be included in the Budget for City Manager Diamond's merit increase at

this time, pending review. It was noted that there were only seven staff employees who performed multiple tasks for the benefit of the City and put great effort into their work; that the City Council wanted to express appreciation for the hard work of the employees.

Growth management and zoning compliance was reviewed as strictly contract services with a 15.5% increase; that sign pickup for advertising signs illegally placed on the City right-of-way was budgeted at five hours per month overtime; that pickup should be increased to twice per month; that more policing of side roads could be done; that a separate contract would be less expense and able to be done more frequently; that fines could not be imposed unless someone was caught in the act of placing the signs; and that the same person could also check storm water pumps and work four hours per weekend.

Development Services was discussed; that the Planner was included in this portion of the Budget; that County contracts included land developer subdivision site plan review, development engineering, graphics and mapping and environmental services; that \$66,000 was included for the Community Redevelopment Study if the criteria for a CRA were met; that training, per diem costs, office setup costs and membership in the Florida Planning and Zoning Association were included for the Planner with computer costs included under the Capital budget; and that the salary study was consulted to provide a range for salary for the Planner that would be based on the number of years experience.

Animal Control services were discussed; that contract costs were increased by 56.7% based on the increase by the County for billable hours and the hourly rate. It was discussed that there was not a way to verify the hours spent; that part of the increase was shelter costs. Mosquito Control was discussed; that cost of service could go up to \$25,000 due to heavy rains this year, but actual costs would be billed.

Public Works was discussed; that Traffic Engineering was projected to increase by 74%; that there was sign replacement cost was estimated at \$15,000 and utility costs for the decorative lighting on Highway 17-92 was estimated at \$34,800; and that Construction Engineering's services were projected to increase 5.1% with reflects the actual costs for monitoring construction projects.

Road and Bridge showed a decrease in next year's budget due to the current year's budget amendment for the cost of the discharge pipe to I-4 for storm water runoff; that with continued heavy rains, there would probably be an additional budget amendment request for this year for additional storm water pumping operations and water testing; that there were amounts budgeted for overtime for maintenance and repair of pumps; that sidewalk repair was included in this budget; and that the amount for the FDOT contract for maintenance for the US Highway 17-92 right-of-way was \$119,000. It was discussed that road grading costs would be reduced once paving of some dirt roads was completed. Pump repairs were discussed; that the pump at Lake Charles had broken down and had been repaired; that the PVC discharge pipes at Lake Charles would have to be replaced with cast iron to prevent future breakage; and that it would have to be done in dryer seasons.

Parks and Recreation was discussed; that an increase of 13.2% was projected to include maintenance of all parks, summer programs, janitorial services and travel and per diem costs; that with the new Park Superintendent position there were additional equipment costs; that repairs to the

Gateway Park restrooms and fence repair at Bill Keller Park were included in Capital costs; that for budget considerations, a mid-range salary figure was included for the Park Superintendent position; that the salary study was calculated based on surveys of comparable cities; and that the Superintendent would report to the Parks Coordinator. Similar positions in local municipalities were discussed; that the Park and Recreation positions might require higher salary figures and reclassification; that the salary survey should be updated; that a Parks Coordinator should be held accountable for the condition of the Parks; and that the position was currently being advertised.

Andy Weaver spoke to the Council; that he had experience with the golf course industry; that knowledge of turf growth and maintenance was necessary and the salary range did not seem appropriate to him. It was discussed that more study of the job classifications and requirements was needed; that the information would be brought back at public hearings; and that the Florida League of Cities had study information available.

Salary surveys were discussed and that a new survey could be done in the next year or two since increases had been approved. There was further discussion of parks; that improvements needed at the ball fields were still needed; that Assistant City Manager Yaskanich would verify if CDBG money would be available for scorekeeper boxes; that the construction of CDBG programs were running two years behind; that estimates for construction would be obtained; that Bill Keller Park be allocated \$75,000 for re-sodding once Park and Recreation personnel were hired. It was discussed that the current contractor had an agronomist on staff for turf management; that an employee should have turf management experience; and that the current consultant had not made changes to fertilizing schedules; and that weed spraying had not been done on the fields.

General Fund Contingency was discussed; that current year's Budget Amendments put the amount at zero; that the Annual Capital Budget was increased by close to 85% for drainage improvements, street resurfacing for the first year of the Five Year Pavement Improvement Program and paving of the remainder City-maintained dirt roads except for Fort Florida Road; and that new sidewalk construction included a portion of Fort Florida Road as well as engineering for traffic signal upgrades and Streetscape improvements. It was discussed that budget costs were included for the acquisition of Community Park, architectural services for City Hall design and City Hall land acquisition; that City Hall had a taxable value of over \$200,000. It was discussed that funding for the purchase of property for a new City Hall would be determined by the City Council; that the architect had initially recommended a seven-acre site, but less acres could be used depending on building design; that available land on US Highway 17-92 was limited; that a list of available land should be compiled; that the budget was estimating a \$300,000 value for the existing City Hall; that the land bank fund and reserves would be available to use for a land purchase; that City Manager Diamond had some information available on nearby property; that non-homesteaded residential areas could be considered; and that a list of available sites should be brought back and sites off of US Highway 17-92 should be included for consideration.

Median beautification was discussed; that budget funds were brought forward as permitting had not been completed to bid for construction contracts for the current year; that Streetscaping was included in the budgeted amount, as well as street resurfacing, sidewalks for Fort Florida Road, extending the right turn lane at 17-92 and West Highbanks, the mast arm for the turn signal at Highbanks and 17-92, Phase III Storm Water Construction, drainage construction, repair and swale

work for several areas. It was discussed that federal approval for the pipe to I-4 was not yet given and that the FDOT was encouraging the project. It was also noted that there were additional funds included for drainage repair of areas that might fail in the coming year and that there were funds for playground equipment from recycling revenues.

The turn lane at Highbanks and US Highway 17-92 was discussed; that the traffic study showed that Highbanks Road was adequate with improvements to the intersection; that the DeBary Elementary School traffic should be alleviated somewhat by the opening of Donald Smith Boulevard; that the elementary school had been approached to change the parent drop-off to loop onto Donald E. Smith Boulevard; that the School Board could be consulted; that attendance was increasing at the Elementary School; that presentation packages concerning the proposed relocation of the parent drop-off loop had been sent to the School Board as well as to the Elementary School's principal, but a response had not been received from the School's facilities; that the City was willing to assist in resolving the traffic congestion issue; that contingency funds could be used if needed or a budget amount could be included; and that the developer was obligated to install a traffic signal at Donald E. Smith Blvd.

Reserve Accounts were discussed; that the Opportunity Land Bank Fund was at \$322,000; and that Unrestricted Reserves was increased by 16%.

Special Revenue Funds were discussed; that there was an increase of \$101,000; the total budget was \$1.7 million with increases to solid waste due to new residential accounts; that street lighting costs would increase due to the creation and expansion of additional districts; and that the Orlandia Heights Board of Directors would be holding a special meeting to consider revising their budget. The Five Year Capital Improvement Program was discussed; that only the first year was funded and was used as a planning tool and was reevaluated yearly.

It was discussed that Florida Power was responding to a request from the City to acquire property near Community Park; that the appraisal for the property around Community Park should be completed shortly. It was discussed that a soccer field could be discussed once the property was obtained; that the Parks and Recreation position should be filled in the near future; and that the Parks and Recreation position should not be hired until the City Council was able to consider the County proposal. It was also discussed that there had been complaints regarding Sopranos Nightclub and Captain Osowski would be advised; that St. Johns River Water Management District (SJRWMD) was considering areas for alternative water sources; that Orlandia Heights was being considered for easements to run underground pipes; that SJRWMD was considering sites in DeBary, Orange City and Seminole County; that City Manager Diamond had requested a map of proposed sites for a reverse osmosis system; that proposed sites in DeBary included part of the Empire Cattle property and the site considered previously for a chip plant; that SJRWMD was providing funding and study assistance to the new Water Authority; that HDR was meeting with City Manager Diamond to give him an update; and that it appeared likely to be placed in Seminole County. It was discussed that the bid opening was tomorrow for Bill Keller Park concession stand. It was also discussed that City Manager Diamond would bring back a list of available properties for a City Hall within 60 days; that the property's taxable value information would be available, but market value would have to be by appraisal.

IV. Adjournment The meeting adjourned at 9:55 PM.

**APPROVED OCTOBER 1, 2003
CITY OF DeBARY
CITY COUNCIL**

Carmen Rosamonda, Mayor

ATTEST:

Maryann Yaskanich, City Clerk