

City of DeBary
SPECIAL CITY COUNCIL MEETING
Wednesday
June 16, 2004
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 Diamond and Assistant City Manager Maryann Courson

III. Business

1. Consideration of Volusia County Municipal Services Proposals

City Manager Diamond stated that Volusia County representatives were present to review proposals and answer enquiries; that two contracts were under discussion, one for Volusia County Services and one for Volusia County Sheriffs Department; that Animal Control services costs are proposed to increase, the manhour costs will increase but the manhours will decrease, the decreased manhours are based on meeting the current requests for service, a net increase of \$292 is proposed; that Fire Services provided two proposals, both include a manhour cost increase, one would be at current levels of service and one proposes to increase personnel at Station 33 to three fulltime employees; that Growth Management services totals were at \$772,000 showing a decrease in manhour costs, but billable hours were projected to increase; and that Public Works services were billed on actual costs and estimates were at \$606,000, which would be an increase.

Law Enforcement rates were proposed to increase; that at existing levels of service the total proposed cost would be \$1.9 million; that an additional Deputy had been requested to replace the officer assigned to the K-9, that with the addition of a deputy the cost would increase to \$2 million; and that the table provided showed comparisons of current and proposed services.

Captain Allan Osowski discussed the history of services to the City; that personnel had increased due to population and traffic growth in the City; that personnel totaled 21 as of FY 2002/2003 due to increases in the number and types of calls; that no new positions were added in FY 2003/2004; that a K-9 had been added to the force and it was requested that the K-9 handler position be added for the coming year to provide a separate patrol position; that dramatic population growth rates over the past seven years had increased the total number of calls; that the statistics for calls for the K-9 officer necessitated that the position be separate from the zone

patrol officer position; and that call response in other zones and the training time for the K-9 and the handler also affected coverage of zones.

There was discussion of the cost of a City police force; that costs in areas somewhat similar to DeBary appeared to be higher than the County contract costs; that 9.5% of current budget costs were administrative costs and 90.5% was for actual enforcement; that when District 6 was established, a part of unincorporated Orange City was under Captain Osowski's jurisdiction; that no statistics for that area were included in the figures given; that the department ran two 12-hour shifts per day with four officers per shift; that the intent was to overlap the K-9 officer on those shifts for better coverage; and that K-9 officers were subject to on-call situations when not scheduled for duty. It was further discussed that the motor units usually worked flexible shifts; that hours were adjusted to address specific problem areas and situations; that the addition of the officer to replace the K-9 handler would put another officer on the street and would help address concerns in some neighborhoods; and that there was overall great satisfaction with the Department.

There was additional discussion of statistics provided by Captain Osowski; that regular review of activity reports of individual officers occurred; that review of resource allocation and response times was analyzed to determine adequate coverage; that citizen input was reviewed as well; that several tools were used to determine that appropriate service was being provided; and that comparisons with other communities was not done as situations differed in each community. There was further discussion that City Council Members had ridden with officers and gained a greater understanding of the demands on the officers and the Department.

Mayor Rosamonda entertained a motion regarding the contract; that the proposal to add the additional officer would bring the contract total to \$2,071,048. It was discussed that no additional clerical personnel would be added. Motion was made by Council Member Allen. It was clarified that the motion was to approve the contract with the Volusia County Sheriff's Department for Law Enforcement Services for the FY 2004/2005 adding one additional Deputy bringing the contract total to \$2,071,048. Council Member Gunter seconded. The motion carried unanimously. It was discussed that there was overall satisfaction with the Sheriff's Department activities in DeBary and they were thanked for their services.

A discussion of Fire Services was held. Volusia County Fire Chief James Tauber discussed that two proposals were submitted; that one was to maintain current staffing with advanced life support at a cost of \$674,327, which was a 3.54% increase; that there had been increased benefit costs and a 5% increase in salaries that caused the manhour cost increase; that fixed costs such as equipment and facilities had been maintained; that the second proposal included EMS services under a plan of combined and cooperative services; that the proposed level of service would provide consistent staffing and an equitable exchange of services; that other municipalities had selected this increased level of service; that DeBary was a busy station with 1,500 calls annually and 1,800 to 2,000 calls including mutual aid calls; that response times averaged 8 minutes or less in total; that discussion of additional station locations needed to be held with City Manager Diamond in preparation for public hearings; and that future service issues would include reducing response times and increased staffing to meet future needs for both normal and exceptional emergencies.

It was further discussed that mutual aid call responses would be increased with Orange City in the future; that six locations in Volusia County would respond to certain types of emergencies; that 11 people would be available for any specific response in DeBary in less than 10 minutes; that a Hazardous Material Response Team was available as needed; that specialized personnel were available for other situations as needed; that additional services included such things as smoke detector programs; that it was recommended to consider adding the additional personnel for emergency services; and that there would be an additional cost of 27% for a total dollar amount of \$155,000.

It was discussed that DeBary's Fire Station was among the busiest stations in the system; that the reasons were the size and nature of the population being served; that calls had been increasing in all municipalities; that development to the southerly areas of the City raised concerns about future needs; that calculations and statistical information could be brought back to the City to determine future action; that some scenarios and locations had been evaluated; that it was possible costs for an additional station would run \$800,000 to \$900,000 per year plus the cost of equipment; that studies were being done to determine delays caused by trains to response times; that alternate routes were usually available if a train was running or stopped; and that delays were possible.

It was further discussed that the Advanced Life Support service was added in a prior year without additional personnel increases; that increased responses were to vehicle accidents and health emergencies more than actual fire responses; that volunteers required over a year's training time; that training and hiring efforts were being combined with various municipalities; that adding or not adding personnel would not affect current response times; and that the benefit of the additional person would provide better response to accidents and emergencies.

There was a discussion that property was being sought for a City Hall and City service facilities and that property could be purchased to include future use as a site for an additional fire station. It was discussed that the cost for two personnel per 24-hour period would be \$674,327 yearly; that with three personnel per 24-hour period the cost would be \$829,467. Mayor Rosamonda entertained a motion to approve the proposal from the Volusia County Fire Department for three persons around the clock for FY 2004/2005 at a contract total of \$829,467. Motion was made by Council Member Allen. Vice Mayor Coleman seconded. The motion carried unanimously.

Peggy Flomerfelt with Volusia County Growth and Resource Management discussed the overall calculations for contract amounts; that it was based on the number of personnel and hours spent for DeBary items; that five positions had been approved in the current budget; that issuance of building permits increased by 43.63% and requests for building inspections by 65.77%; that land development and development engineering hours decreased; that the manhour rate had decreased; that environmental functions were consolidated and that the increase, due to additional man hours, totaled \$32,207.

It was discussed that response times were also important for obtaining permits and it was enquired what steps might have been taken to improve the process. It was discussed that new software systems should assist in obtaining information more quickly. Volusia County Building

and Zoning Director Mary Robinson discussed the turnaround time for inspections and for plan reviews; that a dial-up inspection request system had a 24-hour turnaround time as a rule; that residential plan review typically took 5-6 working days; that an excessive number of plan submittals had been generated just prior to the recent increase to impact fees and had extended the review time frame; and that the 5-6 day time frame was the return of the plans to the applicant with initial comments and delays were usually due to contractors response time to required revisions.

It was discussed that turnaround times for permits had improved; that site plans had to be presented to the Development Review Committee (DRC) and DRC comments had to be addressed before approval, which sometimes caused delay; that the City Manager had prepared comparisons to assuming in-house permitting and review vs. the County contract and the costs would have been substantially higher for in-house services; that increased costs would have to be absorbed by builders and developers; and that Volusia County's response times had improved over previous years. It was discussed that the DRC met every two weeks; that there had been some complaints that communication was not always clear in resolving site plan issues; that the Technical Review Staff (TRS) was available every other week to assist in reviewing proposals and resolving issues prior to submission; that some developers had repeat appearances at the DRC due to multiple revisions; and that there was concern that issues should be identified prior to appearances for approval. It was discussed that Overall Development Plans were not subject to technical review, as engineering was not usually done until after concept approval; that the process was complex and no simplified method existed; and that some modifications had been made to the process in prior years to shorten the time.

There was discussion that there was not a liaison or ombudsman at the County level for consistent contact throughout a development process; that a Civil Engineer was usually contracted by the developer to advise them on the development review process; and that Council Members could attend DRC and TRS meetings to view the operation methods. There was discussion that the retention area at Enterprise Road and Highbanks Road was designed as a dry pond; that the pond was not percolating within three days and was not a dry pond; that the County should have recourse to confront the engineer of the project; and that development issues in DeBary were due to stringent development requirements in the City.

It was discussed that the contract for Growth Management Services proposed amount was for \$772,712, which was an increase of \$22,208. Mayor Rosamonda entertained a motion to approve the contract. Motion was made by Council Member Gunter. Council Member Allen seconded. There was discussion that review of the fees for building permits had been done two years prior and the study was being updated. The motion carried unanimously.

Becky Wilson with Volusia County Animal Control discussed the scope of services provided; that services included night and weekend emergency responses. It was discussed that the average time per call was 1 hour and 13 minutes; that the majority of the cost was feeding and boarding of animals; that billable hours had increased by \$10 per hour; that salary and benefit increases had been made due to study of comparable salary rates in other municipalities; that there had been increases in the Halifax Humane Society fees; and that there was a substantial difference

between Law Enforcement rates and Animal Control rates. It was discussed that the manhour rate was based on a direct labor expense, number of manhours, and indirect costs.

It was enquired what items the \$71 per hour rate reflected; that \$17.44 was direct labor and \$53.63 covered all other costs; that the direct labor cost had increased by \$4.51 per hour; that 90% of the labor cost was for the Animal Control Officer; that the increase was for salaries and benefits; that indirect costs, such as shelter fees had increased by 11%; and that the reduction in billable hours was based on a decrease in calls in the prior year.

It was further discussed that seven Animal Control officers covered the entire County; that the officers for DeBary and Orange City covered for each other; and that the cost figures appeared higher due to the smaller number of personnel and types of indirect costs. Motion was made by Council Member Gunter to approve the contract for Animal Control services in the amount of \$57,992. Vice Mayor Coleman seconded. The motion carried unanimously.

Volusia County representatives, Jon Cheney of Traffic Engineering, Ginger Nogueira of Road and Bridge and Jonas Stewart of Mosquito Control discussed the Public Works contract; that cost estimates were based on historic averages and anticipated work; and that billing would be for actual services provided. It was discussed that concerns over the retention pond at Highbanks Road and Enterprise Road would be forwarded to the Florida Department of Transportation as the work was part of the I-4 widening. It was discussed that the road re-surfacing in DeBary is pending due to a new bid process by the County; and that actual cost for services rendered would be billed. Mayor Rosamonda entertained a motion to approve the contract for Public Works estimated at \$606,422. Motion was made by Council Member Carson. Council Member Allen seconded. The motion carried unanimously.

2. Consideration of Interim Maintenance Contract of Bill Keller Park and Community Park

City Manager Diamond discussed that a two-year contract for maintenance of Bill Keller and Community Park had been approved in April of the prior year; that the contract permitted termination after three poor performance evaluations; that 30-day notice had been provided to the contractor that the contract was to be terminated; and that approval of an interim contract with Ground Maintenance Services, Inc of Orlando was requested until a new bid process could be undertaken. It was discussed that a clause concerning performance evaluations could be placed in future maintenance contracts and that the interim contract was at the remaining budget amount. Mayor Rosamonda entertained a motion to approve the interim contract with Ground Maintenance Services, Inc for the balance of the fiscal year through September 30, 2004 for Bill Keller Park and Community Park. Motion was made by Vice Mayor Coleman. Council Member Carson seconded. The motion carried unanimously.

3. Selection of Site for City Facilities

City Manager Diamond discussed that appraisals were completed and proposals by the property owners submitted; that one site was a 24-acre site in Springview Development; that the other was a portion of approximately 68 acres located at the southeast corner of Dirksen Drive and U.S.

Highway 17/92; that a comparison of offers was provided; that the appraiser had provided an incremental cost by acreage for each property; and that the Springview offer had options to select different parcel sizes. Steve Costa, 101 Curry Rise Court, DeLand representing Empire Cattle discussed the parcel on the southeast corner of Dirksen; that the site was located at the proposed Town Center complex; and that he felt the 2.8 acre parcel with .7 acres to be donated provided a good value.

The U.S. Highway 17/92 and Dirksen Drive site was discussed that the main entrance would access the first median cut on U.S. Highway 17/92; that the City complex would front on U.S. Highway 17/92 and the main entrance; that there would be a wet retention area to be landscaped as a lake; that 40 acres of the parcel were designated for commercial uses; that additional area was available if desired; that the price on the 2.8 acre parcel was at \$575,000; that the price on additional property would depend on other factors; that a public works facilities could be placed at a separate site; that a City Hall, Law Enforcement and Community Center could be built on that site as 2.8 acres was the net usable area; that the design plans for this site would be for two-story buildings; that previous conceptual design plans for a City Hall showed a 7 to 8-acre parcel with a single story building and retention areas; and that there was not a more northerly vacant site available for the project.

It was further discussed that the construction of all the roads and infrastructure would be the responsibility of the developer; that the ODP and master storm water system would have to be in place prior to the construction of the City facility; that much of the preliminary engineering was completed for the site; that construction on the site could begin optimally within 5 to 6 months; that the City could probably process a building permit concurrently during the developer's development review process once the ODP was completed; that the conceptual site plan showed the .7 acres to be across a small street opposite the 2.8 acre facility site; and that there were not issues with the gas line easements.

David Rasmussen, 807B South Orlando Avenue, Winter Park appeared with Michael Heydrick of Realvest Partners representing Paul and Maurice Lucas, contractual buyers for the parcel of land at the Springview development. It was clarified that Mr. Rasmussen was a partner in DeBary 117, the owners of the Springview property, and that he was contractually obligated to sell the property to Mr. Heydrick's client, but the contract was subject to the proposal being presented. It was discussed that the overall 24 acres were centrally located along the U.S. Highway 17/92 corridor; that all City facilities could be potentially contained on the parcel; that the Springview parcel would offer options for future growth; that all infrastructure connections were adjacent to the property; that there were multiple access points to the property and would provide better traffic flow; and that the City would have full control of the development of the property.

It was discussed that the term referring to "involuntary condemnation" in the seller's contract addressed taxation issues; that it was a common clause in municipal contracts; that there were options for different sized tracts at the Springview parcel; that direction was needed to determine which size parcel might be appropriate; that any purchase agreement brought back for approval should also address the 20-foot strip along Spring Vista Drive; and that if the entire parcel were purchased, an installment agreement might be attractive to the seller. The various tract options

and gross acreage differences were discussed; that the appraisal indicated a value of \$60,000 to \$80,000 per acre.

Concern with the size of the parcel at U.S. Highway 17/92 and Dirksen Drive was discussed; if the current Town Hall was used as a Community Center, more area would be available on the site; that a larger Community Center could be placed elsewhere in the future; that, if there was additional property under consideration for purchase for a future public works site, this should be considered along with the purchase of the City Hall site; that additional information could be brought back at the next regular meeting; and that the cost of the construction of the roads and infrastructure at the Springview site should be considered.

Lee Bellows, 217 DeBary Drive, enquired what reasons existed for building the proposed facility. It was discussed that a space-needs study had been completed by an architect hired by the City. Mr. Bellow further enquired how acreage requirements were determined. It was discussed that the study had included several campus style concepts and the recommended amount of acreage required for a campus style facility; that 40 sites were initially reviewed by the Council and two sites were selected for additional discussion; that various considerations were taken into account for the type of site to be selected; and that the process had continued over the past year.

Mr. Bellows enquired further whether a final determination of required acreage had been made and whether future needs for public works were considered. It was discussed that options for other sites for public works had been discussed; that the same location as the City Hall would not be appropriate; that options under discussion were to purchase two separate sites or consider a site to accommodate both; and that estimates of construction costs for the conceptual City facilities were available at City Hall. Mr. Bellows also enquired regarding the disposition of existing facilities and square footage. It was discussed that the existing City Hall was approximately 800 sq. ft.; that the Florence K. Little Town Hall was somewhat over 4000 square feet; and that the proposed complex included a total of 28,000 sq. ft. for a City Hall, Police Station and Community Center, at a cost of \$4.5 million to \$5 million for all three.

Mr. Bellows enquired further whether the matter could be placed on the ballot for vote and that the question on the ballot should be whether the City Council should proceed with a purchase of land and construction of facilities. It was discussed that final determination of which facilities would be constructed would depend on the parcel selected; that Mr. Bellows encouraged the City Council to make more concise information available to the citizens; that the time frame would also depend on the parcel selection; and that it was hoped that the decision could be finalized this summer.

Douglas McCain, 61 South Highway 17/92, discussed that the site was not in the downtown area; that property could be purchased in the downtown area; that the criteria for the Village Overlay District was restricting development; and that City facilities should be centrally located. It was discussed that properties in the downtown area had been considered but were not practicable in that parcels would need to be assembled from small developed parcels and that the County was unwilling to sell its property located to the north of Town Hall.

It was discussed that meetings had been held to review all of the properties under consideration; that the public had been encouraged to attend; that it was the size of properties in the downtown area restricting development; that some restrictions were imposed by entities other than the City; and that Mr. McCain would prefer that City facilities remain in the downtown area.

It was discussed whether the matter should be tabled and that other options should be further discussed before making a final decision. Motion was made by Vice Mayor Coleman to table the matter to the next regular City Council meeting. It was discussed that Mr. Costa could provide a proposal for the cost of additional acreage at the U.S. Highway 17/92 and Dirksen Drive site; that there would be additional space on the 2.8 acres if it was determined that a Community Center would be located elsewhere; that the type of facilities should be determined; that the price of acreage for a separate Public Works facility and Park facilities should be determined before decisions could be made; and that in locating a Public Works facility, waste water issues could be considered as well.

There was discussion of the parking at the Town Center site and that the parking for the City Hall facility would be separate from common areas. There was further discussion that the matter should be tabled; that additional information was needed; and that more planning needs to be completed to assist in the decision making process. There was additional discussion of a Public Works site; there were possible additional options for Public Works locations; and that the various scenarios required additional information as to the price of additional properties.

It was further discussed that more direction was needed as to required facilities; that contingencies could be added to a purchase agreement that additional facilities could be accommodated at a later date; that the concern was making sure that adequate land was purchased to accommodate future growth; that Mr. Costa could quote a price for the purchase of an additional acre; that the requirements of the PUD might dictate the size of an additional property; that concepts to date showed that the 2.8 acres would accommodate the planned facilities; that the current Town Hall could be utilized as a Community Center; that a two-week period should be allowed to obtain the additional information; and that a search of available property for a Public Works facility had not been directed previously.

It appeared to be the consensus of the City Council to attempt to obtain pricing, within two weeks, of an additional acre at the Town Center site; that City Staff was already researching Public Works sites; and that the PUD would also be checked regarding parking. The item was tabled without objection until July 7, 2004.

City Manager Diamond noted that July 21, 2004 was scheduled as a Workshop for discussion of the Village Overlay District and the Gateway Standards. It was also discussed that the \$4.6 million to \$5 million dollar figure included the cost of a Community Center, a City Hall and a Law Enforcement facility; that if current facilities were used for a Community Center, the cost would be substantially less.

4. Selection of Form and Timing for City Manager's Annual Performance Evaluation.

There was discussion that samples of forms used in other municipalities were provided; that the same form could be kept with the elimination of Item 11 and an additional ranking of “Very Good” added; and that a simplified form might be preferable. Motion was made by Council Member Allen to keep the current form with the addition of the rank of “Very Good” and the elimination of Item 11. Item 15 was discussed; that it was based on the ethical tenets of the International City and County Management Association; that the document would be transmitted electronically for completion by Council Members; that the City Manager’s contract dictated that the review be completed by August or September; that Budget Workshops would be held in August; and that the form would be completed by August 1, 2004 for discussion at Budget meetings.

There was discussion that the bids opened on June 17, 2004 for the landscaping and beautification of U.S. Highway 17/92; that the large planters in storage north of Town Hall would be placed at every intersection along downtown U.S. Highway 17/92; that the area was not zoned for storage but the planters were part of a Capital Improvement construction project; and that the vacant lot north of Town Hall was projected by the County to be used as a site for a future Fire Station site.

Vice Mayor Coleman discussed that he would be attending the Code Enforcement Board Members Special Masters meeting in Orlando; that there was a schedule for the 4th of July Freedom Festival events at City Hall; and that the Parade would be in Lake Helen.

IV. Adjournment. The meeting adjourned at 10:45 p.m.

**APPROVED August 4, 2004
CITY OF DeBARY
CITY COUNCIL**

Carmen Rosamonda, Mayor

ATTEST:

Maryann Courson, City Clerk