

**City of DeBary**  
**SPECIAL CITY COUNCIL MEETING**

**Monday**  
**December 20, 2004**  
**7:00 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 Chris Carson, and Council Member Richard Gunter

**Others Present:** City Manager Maryann Courson and Parks Administrator Anthony Gonzalez

**III. New Business**

1. Community Park Improvements Conceptual Site Plan – Gary Warner, Glatting Jackson.

Mr. Warner introduced Landscape Architect Mike Kahnle of Glatting Jackson.

Mr. Warner of Glatting Jackson distributed an inventory of existing park facilities; stated the requirement of three acres per 1000 for neighborhood community parks is based on the City's Comprehensive Plan; that five of the parks could be considered a neighborhood or community park; and that the City has a deficit of approximately 18 acres. He stated that, by the SCORP Standards (State Comprehensive Outdoor Recreation Plan), the City is only six acres short, but, with the additional acreage the City will have with a community park, appropriate level will be reached, however, it will still be a shortage according to the City's Comprehensive Plan.

Mr. Warner stated that Glatting Jackson had reviewed the facility level of service to determine what type of program might be added to the community park; that City of DeBary's Comprehensive Plan does not have a standard for facilities, so the SCORP Standard was used for a comparison; and they looked at the Medium recommendations. Mr. Warner stated that the City's existing inventory, based on a population of just under 18,000, has two extra baseball fields, is short in soccer fields, and is very short in tennis courts. He stated there are several things that are typical in parks but are not in DeBary's parks, i.e., shuffleboard courts, volleyball, or handball and racquetball, which could be used for topics of discussion.

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Mr. Warner stated that, together with City Manager Courson and Parks Administrator Anthony Gonzalez, three concepts have been developed: He stated that Concept C is the last and most current one as was seen at the last presentation. It was decided to have three 200-foot fields; a 325-foot field; and 2 multi-purpose fields, which would serve for soccer or for football. He described the existing facilities: 1 baseball field, 3 softball fields, 2 multi-purpose fields for soccer or football, 2 playgrounds, 1 multi-purpose basketball court/multi-purpose court, parking for approximately 240 cars, and a little over 1/2 mile fitness or walking trail around the park. Mr. Warner stated that there are concession and restroom buildings for the league located in the center of the wagon-wheel design; and an additional restroom facility, which would be open more regularly than the restroom/concession building would be open.

Mayor Rosamonda stated that the City has just purchased the Oglesby property for a passive park and City Manager Courson stated that the Gardella property was also purchased. Mr. Warner advised that if the property was purchased for a passive park, it will not go towards the shortage, because the Comprehensive Plan's requirement is three acres per 1000 population for community and neighborhood parks; that with a neighborhood park, which is mostly passive, the elements of making it a neighborhood park could be added; and that these properties would be taken into consideration

Council Member Carson questioned when the decision was made to make the fields softball instead of baseball. Mr. Warner stated it was a joint decision made by City Manager Courson, Parks Administrator Gonzalez, and Glatting Jackson. Mr. Carson stated the demand was to have a softball complex and a baseball complex, and discussed the potential sites. Mr. Warner questioned which age groups and size fields needed to be provided, in which Mr. Carson provided a proposed sketch; one 330-foot field and three 325-foot fields. There were further discussions on the layout of the fields and amenities.

Discussions followed detailing proposed playground layouts, concession building construction, concession to be single story for scoring purposes, placing dressing rooms upstairs for umpires, and including meeting spaces. Mr. Warner detailed the construction budget, stating that the proposed concession stand would take up approximately half the budget. In order to run a regional tournament facility and bring in a large amount of participation, the design size and number of fields should be determined, along with parking requirements, benefits to the community; and it should be decided what type of service the City wishes to provide.

Mayor Rosamonda commented regarding Item C, that if they were to pull out the playground between the two multi-purpose fields, a large amount of area towards the front would not be utilized, including the utilities easement and he questioned whether a soccer field could be placed in that area. Mr. Warner stated that that could be done, but no structures can be placed there, i.e., lighting, because they would be in the easement. Mayor Rosamonda discussed potential changes to the layout of this particular unused area and the unused space between the ball fields, including a higher fence system. There was further conversation with regard to the layout of dugouts and bleachers. Mayor Rosamonda stated that the biggest demand is a 200 or 225-foot field, wherein more fields provided would meet the demand. Mr. Warner further

discussed the spacing between the fields and the sidewalk system, stating they allow 60 feet between the fields; taking into consideration the need for a fire department egress.

Council Member Carson discussed the need for adequate concrete construction; Mr. Warner agreed. Mayor Rosamonda posed the question of the utilities easement. City Manager Courson stated that the City could build something, but it would be at the City's risk.

Mr. Warner questioned the demand for soccer fields. It was discussed that these fields would not be used just for soccer, but also used for flag football.

The force main requirement was discussed. Mr. Warner stated the sanitary outlet on Highbanks is currently a force main and that the demand would be too great for a septic system.

Council Member Carson suggested the citizens of DeBary are looking for something more structured and organized than the existing Keller Park. Mr. Warner advised that their intent was to build tournament quality fields. Council Member Carson also stated the need for quality is essential.

Vice Mayor Coleman said the cost for design, permitting, construction drawing services for Glattig Jackson are \$215,450; leaving \$1,584,550 in the capital budget for construction. He questioned if this figure was within the budget. Mayor Rosamonda stated there are some items which could be built in phases. Mr. Warner stated if the type of construction requested for the meeting/concession building is done, then a decision needs to be made of what needs to be excluded from the plans; something that requires further discussion.

Parking was discussed. Mr. Warner recommends first row be paved, and then the following rows have paved aisle with grass parking. Mayor Rosamonda discussed the need for concrete around concession area. Mr. Warner suggests if the concrete path is not poured, within time, there would be no remaining grass.

Council Member Carson questioned why the warning tracks were shown so large. Mr. Warner explained that according to Little League Standard, they were small; that 25 feet is probably the minimum, as opposed to a stadium-warning track being 50 feet behind home plate. Mr. Carson further described his measurements for the warnings tracks and drain grids.

Mr. Warner stated again, the general information he needs to receive from the Council in this meeting is: how many fields, what size fields, how many playgrounds, etc. Council Member Carson stated that he believed that a state-of-the-art playground would attract patrons to the park. Mr. Warner stated then it would be more of a community park rather than a baseball park. City Manager Courson suggested a decision be made on a concept, which is agreeable to all, with the adjustments.

Mr. Warner suggested paying an architectural re-use fee for an existing building. He also believed, according to Council Member Carson's concept, that the design would include three

225-foot fields and one large field, with a 375-foot center field. Council Member Carson further detailed his concept requirements. Maintenance road requirements and location of restrooms were discussed, along with staffing requirements.

City Manager Courson summarized what has been discussed: Three fields at 225 feet, 1 field at 375 feet, eliminate basketball, move the multi-purpose fields in order to make playground safe, and add a maintenance building. Mayor Rosamonda again suggested the requirement for pushing the soccer field all the way forward, as much as possible.

Mr. Warner asked if the City still wishes to maintain the walking trail around the park. He also stated that there cannot be a paved trail going through the scrub jay habitat, but has been advised that a picnic shelter could possibly be placed on the trail; stated that Parks Administrator Gonzalez had photographs of the prototype being proposed; and would have a revised concept for consideration in early January.

## 2. Storm water Management/Improvements Non-Ad Valorem Assessment.

City Manager Courson stated that DeBary had experienced catastrophic flooding due to hurricanes this past summer, with 35 identified problem areas, which, in order to begin repair work, would require a lot of up-front funding; that the storm water master planning study is currently underway; that the City was proposing to adopt a non-ad valorem assessment, which is similar to what is paid for garbage, realizing a one-time fee on taxes; and that the Property Appraiser's Office has verbally granted an extension until March to get out the notice of intent and will follow up by letter.

Ken Hooper, Special Engineering Consultant, described how a storm water utility is supposed to be enacted; that most cities would have a storm water utility in place, in two parts; taking approximately half the revenue for maintenance and the other half for capital improvements or retrofits; starting with a master plan, identifying the issues, i.e., capital deficits, needs, ten-year or longer plan; and then work backwards to a rate; that the average residential property in Central Florida is 2,500 sq. ft.; that most Cities average \$6-7 per household, per ERU, or 2,500 square feet; that this works very well when everyone falls within the residential and same kind of situations, which the City of DeBary does not and so it becomes a complicated storm water utility. Mr. Hooper stated that to overcome the complications, most governments use a tiered structure storm water utility; having a first component that covers all the public right-of-ways, major roads, from subdivisions, to grocery store, to public safety, becoming a level fee of approximately \$3.50; and that for developed property, add \$3.50, making two components; as is with other cities in Volusia County and most of Central Florida. He further said the undeveloped property is the only lawsuit that has ever held up against the County about a storm water fee.

Mr. Hooper said that the map provided to him shows about 11 subdivisions that vary through the City, each of which have what he was describing; public, private, dirt roads, maintained, non-maintained, industrial and commercial; that he cautioned placing the storm water utility on a monthly utility bill that in DeBary, this will be a \$6-7 one-time charge in October, and that there

should be four mandatory public meetings notices sent out, to minimize any problems with citizens. Mr. Hooper recommended a simple two-tiered structure, starting at a range of about \$7 per household (ERU), or \$2,500 square feet, then breaking that into the portion for the public right-of-way and then the portion that is for a conveyance system or a improved system; paying \$3.50 for an area which has no improvements and \$7 with improvements. Mr. Hooper then explained the breakdown for commercial buildings, based on the amount of impervious footage; and further explained credits, which could be very complicated and hard to administer.

Mr. Hooper stated that, in summary, the two-tiered system would potentially generate \$650,00 per year; explained the County's general process; stated how the square footage was calculated; and that the rate would be averaged and consistent with the size of household. City Manager Courson summarized: public roads, public drainage, etc. at \$84.00 per year; and for people who are on private roads, private gated roads, any type of private or vacant land; and that the rate would be \$3.50 per month, which is \$42.00 per year. Mr. Hooper stated the difference may be that some may not wind up in that category; depending on conveyance, etc. Mayor Rosamonda stated that the revenue stream is perpetual; and agreed to a simpler system, easier to administer, easier to understand. Funding issues were then discussed.

Motion to approve by Council Member Gunter. Vice Mayor Coleman seconded. Motion carried without objection.

3. Facility Use Agreement – DeBary Little League Inc. and City of DeBary.

City Manager Courson requested a continuance of the agreement as that there had been upheaval in the League; that changes were taking place on their staff; and that she would like to withdraw. Council agreed on a continuance.

4. Employment Agreement – City Manager.

Mayor Rosamonda stated he had discussed the agreement with City Manager Courson; that he had used the former City Manager's contract as a starting point; and he asked Council Members for input. Since the agreement had just been received, Council decided that more time was needed for review of the agreement in order to protect the City and this item was postponed until January 5<sup>th</sup> Council Meeting.

5. Installation of Decorative Fixtures Along North Highway 17-92.

City Manager Courson stated that a response had been received from Progress Energy; that letters have been mailed to Streetscape participants, that she is currently working on forming a committee; that she is requesting Council's conceptual approval of the locations and spacing; and that an approval would be sent to Progress Energy who will prepare the estimate and contract. Mayor Rosamonda stated he believed that this has already been approved. City Manager Courson stated that there would be more consistency with the current proposed layout;

that Council directed that plugs be placed on every pole; and that Mayor Rosamonda requested City Manager Courson to itemize the list and that adjustments can be made in the future.

City Manager Courson stated the notice-to-proceed to install the decorative pots on Highway 17-92 was reissued December 8<sup>th</sup>; that time given to complete is four months; that the installation will be completed by the first week in April; that the install time is at the contractor's discretion as is how he proceeds with the project; and that she will expedite the installation.

Mayor Rosamonda stated that pictures would be taken at the January 5<sup>th</sup> meeting of Council, including new Council Members, and requested that Council Member Allen and Vice Mayor Coleman invite their wives to the meeting.

City Manager Courson distributed Waste Pro's waste collection schedule; that the schedule would be mailed to residents after Christmas; that pickups for garbage/recycling would be five days each week and four days each week for yard waste pickup; and she stated they were planning to use Reverse 911 in addition to the mail out.

City Manager Courson stated they have begun the study of other independent services; that she has talked with Orange City; that PEC will submit proposal for growth management and a partial public works service; that a letter had been sent to Deltona; and that she asked for Council's direction of pursuing Seminole County and Sanford. Council Member Gunter stated that they would only be looked at as independent contractors and where they are based is not relevant. Mayor Rosamonda agreed that they could station an employee here as easily as in Orange City or Deltona.

Vice Mayor Coleman questioned the discussions about land being purchased at the Fire Department, and what the County had decided. Council Member Gunter stated that the purchase and means of conveyance were still being considered; that he has discussed the issue with a local County Council Member, who directed his staff to make that happen; that it is just a matter of their staff finishing up the steps; and that he would plan to come to January's meeting with more specific dates. City Manager Courson advised that Assistant County Manager Matt Greeson would be meeting with her this week on this subject.

Mayor Rosamonda stated that he, City Manager Courson, and David Hamstra had met with Mr. Early, Morrison Homes, DOT, and attorneys last week; that they had come to a preliminary agreement. Mayor Rosamonda has tentatively set a schedule with DOT for first part of January to evaluate the water issue at Miller Lake; that talks are underway; that DOT is very interested in participating; that David Hamstra would be in attendance at the January 5<sup>th</sup> meeting, with the payment and letter of credit for the facilities east of Highway 17-92; that DOT, City of DeBary, and Volusia County will work on getting water out of the area and down to the River. There were further discussions about water disbursement into the River and SJRWMD's involvement.

Mayor Rosamonda stated that he and City Manager Courson had met with Mr. LaConte, DGCC golf course; that Mr. LaConte was interested in working with the City to see what needed to open

the course by November 2005; that Mr. LaConte was to provide the City with conceptual plans of storm water issues/drainage systems throughout the course, which would benefit both parties, as of today these have not been received; and that Mr. LaConte has informed the homeowner's association that he was not satisfied with the meeting and was threatening lawsuit. Vice Mayor Coleman stated that some homeowners have begun a class action suit against the bank for not foreclosing on Mr. LaConte, thereby causing their property values to decline.

**IV. Adjournment** The meeting adjourned at 10:30 PM.

**APPROVED February 2, 2005.**

**CITY OF DEBARY**

**CITY COUNCIL**

**Carmen Rosamonda, Mayor**

**ATTEST:**

**Maryann Courson, City Manager**