

**CITY OF DELTONA, FLORIDA  
CITY COMMISSION WORKSHOP MEETING  
MONDAY, SEPTEMBER 23, 2013**

A Workshop Meeting of the Deltona City Commission was held on Monday, September 23, 2013 in the City of Deltona's 2<sup>nd</sup> Floor Conference Room at 2345 Providence Blvd., Deltona, Florida.

**1. CALL TO ORDER:**

The meeting was called to order at 5:30 p.m. by Mayor John Masiarczyk.

**2. ROLL CALL:**

Mayor	John Masiarczyk	Present
Vice Mayor	Zenaida Denizac	Present
Commissioner	Webster Barnaby	Present
Commissioner	Heidi Herzberg	Present
Commissioner	Fred Lowry	Present
Commissioner	Chris Nabicht	Present
Commissioner	Nancy Schleicher	Present
Acting City Manager	William "Dave" Denny	Present
City Attorney	Becky Vose	Present
Deputy City Clerk	Mitch Honaker	Present

Also Present: Parks and Recreation Director Steve Moore; Economic Development Manager Jerry Mayes; Building and Enforcement Services Director/Acting Deputy City Manager Dale Baker, and VCSO Captain David Brannon.

**3. PLEDGE TO THE FLAG:**

The City Commission and staff said the pledge to the flag.

**4. BUSINESS:**

**A. Discussion re: Vendors at Dewey O. Boster Sports Complex.**

The Commission and staff discussed Ordinance No. 31-2006, Chapter 22, Article VI. Street Vendors and the fact that there is an exception found in Section 22-189. The exception states the City can issue a permit to organizations allowing vendors during events, that the City could allow organizations to submit requests for permits until the Ordinance is updated, issuing a permit only to entities who have a contract with the City for the use of the fields at Dewey O. Boster Sports Complex, that allowing permits would not void any current contracts with the City, the need to update the Ordinance, making sure that all organizations are treated the same, the possibility of developing a one (1) page application form, possibly using the current special event form until a new form is developed, the need to develop a facility fee structure for using all Deltona facilities, scheduling the review and update of Ordinance No. 31-2006 and all Deltona facility contracts for a future Workshop agenda, coming to Commission meetings prepared by making sure information is

on hand for making decisions, and staff having a Special Event application ready for organizations to use by 10:00 a.m. on September 24, 2013.

A representative from the Deltona Youth Soccer Club asked if a permit is needed to sell outside of the concession stand, and Mayor Masiarczyk replied “yes”.

**After discussion, the Commission concurred to issue a permit only to organizations that have a contract with the City for the use of Dewey O. Boster Sports Complex fields until the end of the current football season.**

**B. Discussion re: Possibly hiring a Lobbyist.**

Commissioner Herzberg stated that she was in Jacksonville for a Florida League of Cities (FLC) policy committee meeting, that she is a member of the FLC Growth Management & Economic Development Committee, that during the meeting one of the topics discussed was that the Legislature is seriously considering sun-setting Enterprise Zones by the year 2015, Community Redevelopment Areas (CRA) versus Enterprise Zones, she encouraged all Commissioners to get on one of the FLC committees, and she stated that she feels Deltona definitely needs to get the lobbyist Request for Proposal (RFP) finished and advertised as soon as possible.

The Commission and staff discussed using the RFP and the “What a Lobbyist can do for Deltona” document that was provided by staff in the current format to advertise for a Deltona lobbyist, the importance of having a lobbyist in Tallahassee for monitoring what is going on and for bill tracking, a lobbyist having to have a strong connection with Deltona, requirements for when a lobbyist would report back to the Commission, the good job that staff did in making sure that the RFP projected the needs of the City, the process to screen lobbyist applications, using staff to screen applications down to a manageable number of best qualified applicants, having each selected applicant make a 20 minute presentation to the Commission followed by a 20 minute interview, communications currently received from individuals interested in being a Deltona lobbyist, not discussing the lobbyist RFP with any possible applicants, the tentative RFP schedule setting the date of Tuesday, October 15, 2013 for lobbyist interviews, developing interview questions and procedures, what to look for in lobbyist skill sets, lobbyist having to provide a proven track record of past successes, the pros and cons of a lobbyist representing several cities at one time, having a set of established questions to ask applicants, and asking interview questions that would pertain to each individual applicant.

**After discussion, the Commission concurred to advertise an RFP for a lobbyist, having staff screen all lobbyist applications, and that the Commission will conduct interviews on Tuesday, October 15, 2013 at 5:30 p.m.**

**C. Discussion re: City of Deltona Stadium.**

The Commission and staff discussed changes that were made from the last time the stadium presentation was on a Workshop agenda, that installing a 1,500 square foot locker room with a fenced in stadium would add approximately \$110,000 dollars to the cost of the project for a total of approximately \$364,000 dollars. Also discussed was the possibility of changing the direction of

one of the fields at the park which would involve; having to install additional lighting at a cost of \$150,000 dollars, that the City would lose one of the current fields at Dewey O. Boster Sports Complex if the direction a field faces is changed, having to completely redo the current irrigation system, and the City would have to hire an engineer and would need a survey, which would be very costly.

**After discussion, the Commission concurred that there was not an interest in changing the direction of one (1) of the playing fields at Dewey O. Boster Sports Complex.**

The Commission and staff discussed putting in a stadium that would be a multi-use facility for both football and soccer, the possibility of league scheduling conflicts, the impact of putting in a fenced in stadium for various events, the width of the current fields not being able to accommodate a fenced in stadium, installing lightning sensors and an announcement system at Dewey O. Boster Sports Complex, stadium power requirements, adding an additional grass parking lot, current available parking of approximately 400 spaces, having a total of 546 parking spaces at the City Hall/College complex and running shuttle busses during events, the possibility of putting concessions under the bleachers, exploring the option of making the bleachers a permanent installation by putting locker rooms under the bleachers, permanent bleachers with locker rooms providing an area of refuge during emergencies, just doing one side with a press box and locker rooms would allow for more seating capacity, the possibility of a stadium changing the original concept for the use of the Dewey O. Boster Sports Complex, portable versus permanent bleachers, putting in a multi-purpose parking garage in Deltona, how many times a year a stadium would impact other events being held at Dewey O. Boster Sports Complex, capitalizing on facilities that are already at Dewey O. Boster Sports Complex, how much more business would Deltona get by putting in a stadium, costs to build a permanent stadium, the possibility of Bethune-Cookman University and other professional organizations using the stadium, charging for organizations to use facilities in Deltona, the concept of trying to make Deltona a destination place, and having a fenced stadium that organizations can use to charge admission.

Vice Mayor Denizac stated that she feels that Deltona should explore a partnership with a University to build a permanent stadium.

Mayor Masiarczyk stated that he is not in favor of a temporary stadium at Dewey O. BosterSports Complex.

Commissioner Nabicht stated that putting in a temporary stadium at Dewey O. Boster Sports Complex is an investment to demonstrate that there is a need and interest to build a permanent stadium, that all of the proposed concepts for putting in playing fields in various locations in Deltona, to include putting in a stadium and replacing the fields at DuPont Lakes Park can be and should be done, that putting in a temporary stadium does not negate the vision to put in a permanent stadium in Deltona but actually enhances a Deltona Stadium vision.

Commissioner Lowry stated that putting in the additional parking will benefit all events held at the park, that he sees the temporary stadium as a stepping stone that will let organizations know that there is a place to play now and that there will be an even better stadium in Deltona in the future, and that an adequate temporary stadium will serve as a barometer to see if there is a need for a permanent stadium.

Commissioner Barnaby stated that Deltona is not a destination City and a stadium will not make it one, that because of its geographic location that Deltona is a bedroom community, that there is nothing wrong with being a bedroom community, and that the Commission should strive to make Deltona the best family oriented bedroom community, with clean streets and roads that are well kept. He also discussed the County not properly maintaining County roads that are located in Deltona.

Commissioner Herzberg stated that Bethune-Cookman University would have to check with the National Collegiate Athletic Association (NCAA) before coming to play in Deltona but that they could possibly come out to do a “friendly” exhibition game, that the comments made against a temporary stadium at Dewey O. Boster Sports Complex are also applicable to a permanent stadium, and that if the City does not get support and use out of a temporary stadium then how can the Commission justify spending money on a permanent stadium.

The Commission discussed starting small at first to see if the City can use a stadium, making sure the temporary stadium is well done to reflect positively on Deltona, the possibility of expanding the current stage at the end of the stadium so the City can accommodate other venues, and the infrastructure costs for building a permanent stadium being a huge financial impact to the City.

The Commission discussed the need for more playing fields in Deltona, enhancing its current fields, showing that there is a need for a stadium in Deltona, developing a firm proposal for a temporary stadium at Dewey O. Boster Sports Complex, and developing a general cost for a 3,000 space multi-level parking garage.

**After discussion, the Commission concurred to have staff prepare two (2) separate cost studies, one (1) for a temporary stadium at Dewey O. Boster Sports Complex encompassing all of the discussed changes, and a second cost study for what the general costs would be to build a 3,000 space multi-level parking garage.**

Buddy Shacklette, 875 Elkcam Boulevard, Athletic Director for Trinity Christian Academy, thanked the Parks and Recreation Department for the tremendous fields at Dewey O. Boster Sports Complex, the benefit of a stadium locker room and bleacher area providing people a place to go for shelter at the park during periods of inclement weather, and the possibility of the City being held liable for injuries from people getting hurt in and around stadium fencing.

Mr. Denny stated that the cost studies would not be ready by the next Commission Workshop, replacing the two (2) fields lost when the Dupont Lakes property sells, possibly installing two (2) softball fields and a parking lot at the City’s 122 acre site located near Discovery Elementary School as the first phase of starting to build a sports complex as need happens, or installing two (2) softball fields at either Manny Rodriguez Park or Dwight Hawkins Park, but that with both of those sites parking is nonexistent.

The Commission and staff discussed keeping the DuPont Lakes replacement fields in District 1 which was requested by Vice Mayor Denizac, a comparison of local community use versus organized league use of the DuPont Lakes softball fields, the possibility of putting in one (1) softball field at a park located in District 1 due to the park’s size limitations, the possible injury

liability of having outfield to outfield adjoining softball fields, neighborhoods not wanting lighted playing fields at local parks, the costs of putting in playing field lights, and that there is Community Development Block Grant (CDBG) money allocated in next year's budget to build a softball field at Dwight Hawkins Park (District 1).

**After discussion, the Commission concurred to have staff prepare a cost study to have two (2) lighted softball fields and a small parking lot put in at the City's 122 acre site located near Discovery Elementary School.**

**5. CITY MANAGER COMMENTS:**

Mayor Masiarczyk discussed a letter from the Seminole County Attorney's Office regarding Senate Bill 50 which mandates that all citizens have a reasonable opportunity to be heard, it mandates that individuals would be allowed three (3) minutes each to speak during public comments, that a speaker representing a group would be allowed six (6) minutes to speak, the need for the City Attorney to review Senate Bill 50, and to not change the City's individual speaking time but perhaps add a group representative speaker time of 7 to 8 minutes.

**After discussion, the Commission concurred that the City Attorney would review Senate Bill 50 and how it would affect the public forum portion of Deltona meetings.**

The Commission discussed keeping Commission comments short and to the point during the Commission Comments portion of Regular Commission Meetings.

City Attorney Becky Vose stated that she just received a new Volusia County Sheriff's Office (VCSO) contract from the Volusia County Attorney's Office on Thursday, September 19, 2013, and she asked if the Commission would like to have a Workshop on Monday September 30, 2013 to discuss the changes and how it would affect services provided to Deltona.

The Commission and staff discussed the differences between the current renewal contract and the "draft" rewrite of the contract that Mrs. Vose received from Volusia County, the level of provided services decreasing but the costs of the contract staying the same, changes such as the VCSO not enforcing City of Deltona Ordinances, possible dates to schedule a Workshop to discuss the proposed changes, the possibility of hiring an outside consultant to review the contract to determine the level of services provided versus costs, the effectiveness of last year's additional deputies to the VCSO contract, the Commission reviewing the contract before scheduling a Workshop, communicating with Sheriff Johnson about the proposed changes, the study that was conducted for the City in the past that showed Deltona has the best police services for the dollars spent, and providing the Commission a copy of the nine (9) million dollar VCSO contract for review.

**After discussion, the Commission concurred that the Acting City Manager would contact Sheriff Johnson to discuss the new contract, and that the City Attorney would email the new contract to the Commission with a synopsis on how each change would affect the level of service provided to Deltona.**

City Attorney Becky Vose stated she just emailed the contract to the Commission, that the contract fee was not reduced, but that there were several reductions to the level of services provided, such as the VCSO not enforcing City Ordinances, that they lined through the portion of the contract that stated that the City Manager had the authority to manage and direct the provisions of VCSO services, and that the existing contract is over effective October 1, 2013.

Mr. Denny stated that it has been his experience that every year the City just signs an amendment to the contract during the budget process, that he believes that the City has already signed the amendment for FY 2013/2014 during this year's budget process, that if the County is wanting to change this year's contract that it will not happen by October 1, 2013, that if the VCSO is providing the City with less services than he feels that the City should pay less money, and that in the morning he will call Sheriff Johnson to discuss where the proposed changes originated.

The Commission and staff discussed how many ordinances the VCSO enforces for the City, and needing time to thoroughly review the proposed contract changes.

Captain Dave Brannon, VCSO, stated that he just spoke to his superiors about the proposed contract amendment who were as surprised about the changes as the Commission is, and regardless of the proposed amendment that the VCSO will continue to provide the same level of services to Deltona as before until the situation is resolved.

The Commission discussed the West Volusia Summit, the West Volusia Mayor's letter that was sent to the County Council concerning topics for the Summit agenda, that none of the Mayors had heard back from the County Council yet, but that it was mentioned in a local newspaper that the Volusia County Council discussed receiving the letter at one (1) of their Council meetings.

The Commission discussed attending Thursday's Volusia League of Cities dinner, carpooling to the dinner, and the fact that it is not in violation of the Sunshine Law for Commission members to carpool as long as they do not discuss City business.

**6. ADJOURNMENT:**

There being no further business the meeting adjourned at 7:57 p.m.

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Mitch Honaker, Deputy City Clerk