

**CITY OF DELTONA, FLORIDA
CITY COMMISSION WORKSHOP MEETING
MONDAY, FEBRUARY 10, 2014**

A Workshop Meeting of the Deltona City Commission was held on Monday, February 10, 2014 in the City of Deltona's 2nd 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	Heidi Herzberg	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Webster Barnaby	Present
Commissioner	Nancy Schleicher	Absent (Excused)
Commissioner	Fred Lowry	Present
Commissioner	Chris Nabicht	Absent (Excused)
City Manager	William "Dave" Denny	Present
City Attorney	Becky Vose	Present
Deputy City Clerk	Mitch Honaker	Present

Also Present: Deputy City Manager/Building and Enforcement Services Director Dale Baker.

3. PLEDGE TO THE FLAG:

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

4. BUSINESS:

Halifax Health Marketing Development Specialist Rafael Ramirez stated that Halifax Health is committed to Deltona, it has purchased two (2) parcels of property so far and are negotiating for a third parcel, he will have an office in Deltona, and that Halifax Health is looking forward to getting to know the community and the Commission, as well as sensing what the pulse of the community is in regards to what Halifax Health can provide to the residents.

Orange City Mayor and Volusia Council of Governments (VCOG) Vice Chair Tom Laputka introduced himself and Daytona Beach Shores Council Member and Volusia League of Cities (VLC) President Billie Wheeler.

A. Discussion on Dilapidated House and what action to take with them.

Deputy City Manager/Building and Enforcement Services Director Dale Baker gave a presentation on the dilapidated house situation in Deltona.

During the presentation the Commission and staff discussed reasons for structures being in ill repair, a review of some of the dilapidated homes, municipal liens, foreclosures, actions the City can and cannot take, what is required to purchase a home through Neighborhood Stabilization Program (NSP) funds, atypical actions that banks are taking on foreclosed homes, requesting banks donate property to the City, tearing down donated dilapidated structures, contacting the property owners to see if there is any interest in donating the property to the City and the City forgiving the liens and fines, reasons banks do not finish the foreclosure process, what the City can legally do to improve the dilapidated house situation, negotiating each dilapidated house situation on a case by case basis, negotiating a purchase price on those that will not donate the property to the City, demolishing or posting signs on houses that are considered to be unsafe, establishing liens on properties that do not have liens, ranking the dilapidated properties in Deltona, informing dilapidated neighborhood residents of the City's limitations to what can be done, preparing a demolition ordinance that spells out the steps required before the City can demolish a home, research what other counties and municipalities are doing, various resources available to municipalities, the costs of demolishing a home, purchasing property and the City having to maintain the property, putting funds in next year's budget to purchase dilapidated houses, other cities being in the same dilapidated house predicament, and staff writing a Commission approved letter to the property owner and mortgage company.

After discussion, the Commission concurred to look at each house on a case by case basis, prepare a draft letter to the registered owner and mortgage company, and to set aside funds in next year's budget to deal with the dilapidated house situation.

B. Discussion re: VCOG Membership.

City Manager Dave Denny stated that the background information found in the agenda memo was provided by the Volusia Council of Governments (VCOG).

Vice Mayor Herzberg discussed Deltona not being a member of VCOG, but being a member of the Volusia League of Cities (VLC), VCOG membership dues being based on a per-capita formula, the recent vote by VLC and VCOG to require dual membership in both organizations, the organizations sharing management and facilities, the 360 survey that was distributed last year to all elected officials pertaining to VCOG, reasons for voting for dual membership and belonging to both VCOG and VLC. She asked if the Commission wanted to belong to both organizations or not. She stated that she felt the City needed to belong to both organizations, the importance of staying in touch with all cities in Volusia County, Deltona having a voice at the table, not belonging to both organizations is doing a disservice to residents, and the pros and cons of being Volusia Counties largest city in regards to the per-capita formula used for the distribution and receipt of funds.

Mayor Masiarczyk discussed the devastation to small cities and cities like Deltona if the per-capita tax distribution revenue were not available, reasons for Deltona pulling out of VCOG, the vote that dual membership is required for VCOG and VLC being nothing more than a case of bullying, and him not responding to the 360 survey because Deltona is not a member of VCOG. Commissioner Denizac questioned the legality of requiring membership in two (2) separate entities or not at all, that the two (2) organizations should merge in to one and being out of VCOG for the last two (2)

years has not had an impact on Deltona. She stated residents are concerned with economic development, code enforcement, sidewalks, roads being paved, and high water bills, not with what organizations the City belongs to. She stated that most organizations sit around and talk, but provide very little measurable action for residents, the West Volusia Summit meetings are worthwhile and need to continue, and that she will not support belonging to both VLC and VCOG.

Commissioner Lowry stated that he concurred with Commissioner Denizac's statements, he was for pulling out of VCOG, he did not see the benefits to belonging to the organization, and he does not agree with VCOG and VLC trying to force Deltona to belong.

Mayor Masiarczyk stated that he concurs with the need to work together, hundreds of thousands of dollars were spent on the Water Authority of Volusia (WAV) which fell apart when Daytona Beach pulled out, West Volusia Mayors meet and get a lot accomplished, membership fees to an organization have to be fair across the board, VCOG meetings did not produce any tangible results to bring back to the Commission, not agreeing with the requirement to have to belong to both organizations, being supportive of a joint group, or maybe an East side and West side group that meets as a whole group on a less than monthly basis.

Commissioner Denizac stated Deltona is still a City in the making and has unique concerns and problems that are different than other cities in Volusia County, such as water issues and commercial development.

Vice Mayor Herzberg stated that her views are very different on belonging to these organizations, the Commission talks about how unique Deltona is, yet staff and Commissioners coordinate with other counties and cities to help solve the City's problems. She stated sometimes per capita funds need to be expended otherwise the City needs to look at what it is receiving per capita, and if the City does not expend the funds than why should it receive them. She stated if both organizations combined, the membership fee would still come out the same. Deltona has been a member of the VLC for two (2) years at \$150 dollars per year, VCOG and VLC waited two (2) years for Deltona to decide what it was going to do before reviewing the financial situation, and trying to determine how to manage and fund the organizations. The members voted and decided to keep the organizations financially as one, but that it would have to remain as separate entities. She discussed the different issues that VCOG and VLC deal with, a City having to belong to organizations to be a player to be able to deal with issues.

Commissioner Barnaby stated that he has looked at the mission of VCOG and if it is being true to the organization's mission, that it is invaluable to belong to organizations like VCOG. As a professional working in the business world he feels it is vital to belong to both VCOG and VLC, consider the two (2) groups as two (2) local unions that pay for and organize efforts, some agreed with and some not. He questioned if both VCOG and VLC are supposed to be bipartisan, if the organizations are non-partisan than he supports the educational arm of the organizations, but not VCOG or VLC using taxpayer's dollars to tell cities how to vote on ballot issues and initiatives. He discussed government officials being free to speak on any issue, not crossing the line between preaching and meddling, he advocated that Deltona rejoin VCOG and then hold the organization to its nonpartisan mission statement which is critical to properly using taxpayer dollars.

Commissioner Denizac stated that Representative Santiago did ask her if she would consider rejoining VCOG and she said "absolutely not". She stated that her yes and no answers are both equally firm answers, she does want to be a team player and collaborate when needed, but that collaboration needs to have an intention and a purpose.

Mayor Masiarczyk discussed the need for Deltona to belong to an organization that is county wide in nature, he praised Mary Swiderski for the amount of information she distributes, that maybe the discussion should be "how" to work together and not whether or not to rejoin VCOG, the VCOG needing to reinvent itself just like the Transportation Planning Organization (TPO) did, the amount of money required for membership, the financial needs of the City to support residents and local groups, restrictions of Commission conversations at certain meetings due to not belonging to VCOG, and the need for all municipalities to meet and discuss County wide issues. He stated that he took offense to the way the dual membership requirement occurred, he did not fill out the 360 survey because the City does not belong to VCOG, and not being contacted by either the VCOG or VLC President to discuss Deltona's VCOG membership.

Commissioner Lowry stated that there is not an anti-VCOG mentality in Deltona, the Commission was going through the budget process, and at that time he even considered the City dropping out of Team Volusia until he attended a meeting that provided an overview of Team Volusia, but that never happened with VCOG. He stated that he would rather spend the City's funds on local organizations like the Deltona Little League.

Commissioner Denizac asked the City Attorney if an organization can tell a City that it must belong to another organization before it can be a member of their organization, VCOG and VLC are two (2) separate entities, and that it just does not make sense to her. Mrs. Vose replied that she conducted some research on that earlier in the day, she has a call into the Internal Revenue Service (IRS) concerning 501(c)(3) and 501(c)(4) organizations, she had called the legal department at the Florida League of Cities (FLC), but staff were all out of the office for the day, and that she needed to do more research before providing an answer.

Vice Mayor Herzberg agreed with Commissioner Lowry that it would have been nice if someone from VCOG had contacted each Commissioner individually to discuss the difference in missions between VCOG and VLC, but that there is a fine line between lobbying, providing information, and educating someone. She stated yes, financially membership is a cost to the City, however, there is a million dollars in reserve for economic development, it not being just a financial decision, but whether the Commission wants to participate at other functions. If Commissioners really want to be a true representative for residents they must educate themselves, participate and belong to other things outside of Deltona. She stated the times of being an island are over, small organizations are gone, technology costs money, but without it the City does not belong, every entity has to have legal representation, all of these things are required in today's government, and yes, the costs do pile up.

Commissioner Barnaby concurred with Vice Mayor Herzberg's comments, his disappointment when he shows up at an event and other Deltona Commissioners are not in attendance, maintaining relationships with other elected officials is important, when people see the Commission in

attendance at functions it sends out the message that Deltona wants the business and the economic development it brings into the City, and to him, there is great value in belonging to VCOG.

Commissioner Denizac discussed the Commission being seven (7) people, not all Commissioners being retired, Commissioners representing the City at events when work schedules allow, and that it bothers her when people run for office confessing to know everything and are going to change the world, but once elected milk the tax payers by attending seminars and requiring reimbursements for every event.

Vice Mayor Herzberg stated that all Commissioners try to represent the City in some way or the other, now the City has a manager that goes out and represents the City, and she asked Mr. Denny for his thoughts on VCOG membership. Mr. Denny replied that right after the Water Authority of Volusia County (WAV) broke up he was invited to go to VCOG and provide updates on water issues, from a water perspective, there are a lot of issues that are different between East and West Volusia County, especially considering West Volusia has to deal with the Blue Springs issues. He stated he has never attended VLC meetings, at the VCOG meetings he did attend there was discussion regarding transportation and water, which he thinks are the two (2) biggest issues facing the County, water more in the West side of the County but, transportation issues are County wide. He stated it is important for County wide meetings, and it is very beneficial that all the City Managers meet every month in Daytona Beach where issues are discussed in a different perspective than by elected officials.

Vice Mayor Herzberg asked if the issues were regional or local, and Mr. Denny replied the issues are all over the board in varying degrees, local, regional, and even some that are State wide.

Mayor Masiarczyk stated that there is room for compromise and to work together to address issues, he does not agree with the way the vote was done, and that to him Deltona will be a member of VLC until it is thrown out. He questioned the legality of voting on the membership issue at a VLC dinner, and that he would like to find a way for everyone to work together to resolve County wide issues.

Billie Wheeler, President of VLC stated that she was in attendance to get the Commission's perspective, the dual membership decision was not to antagonize Deltona, the thought process was to use the membership requirement as a deterrent, and it was the general consensus of the VCOG members on the 360 vote that the organizations stay separate. She would like all municipalities to work together, addressing County wide issues as a team, such as a County homeless shelter that needs to be addressed by everyone. She apologized if the Mayor was not contacted when the dual membership requirement occurred, municipalities need to stay united as a County, she would like to see Deltona be a part of the solution to issues, and that members are the voice of VCOG.

Mayor Laputka stated that for most of his life he has participated in team sports, he relies on his team mates, the Deltona Commissioners are needed as team mates at the table, all situations require the effort of the team, Volusia County has not solidified itself as a County yet, he needs Deltona in the fight, and that individuals do not need to be a member to speak at VCOG meetings.

Mayor Masiarczyk suggested that each month VCOG provide information on what Deltona is missing out on by not belonging to VCOG, and that there should be a way where Deltona is a part of a County wide team.

Vice Mayor Herzberg stated that if nothing else, by Deltona deciding not to be a part of VCOG it caused VCOG and VLC to assess its organization and what it represents, and that it helped VCOG to look at what issues need to be addressed.

Mayor Masiarczyk stated that he received a letter from the League Commissioner of the Deltona Senior Softball League who uses DuPont Lakes softball fields, requesting information on where the league would play after the sale of DuPont Lakes is completed, and he read the letter to the Commission. He discussed staff providing the Commission a cost analysis on replacing the lighted ball fields at DuPont Lakes, and he asked the City Manager to provide an answer to the letter.

Commissioner Lowry stated that he received calls concerning clean-up being required under the bleachers at Vann Park, and Mr. Denny replied that he has dealt with the situations that occurred at Vann Park before, and he would have it taken care of.

Vice Mayor Herzberg asked about the email all of the Commissioners received on the neighborhood issue, and Mr. Denny replied that it is an ongoing issue, and the individual who wrote the email has been a resident in Deltona for about six (6) months. He stated the resident wants the individual moved out immediately, there is a process that has to be followed, and that the situation is getting to the point where VCSO will have to get involved. Deputy City Manager Dale Baker replied that VCSO deputies were dispatched to the location today.

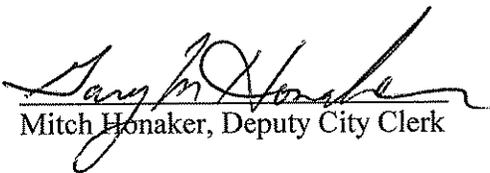
The Commission discussed law enforcement issues being routed through the City Manager.

After discussion, the Commission concurred to route all VCSO issues through the City Manager.

5. CITY MANAGER COMMENTS:

6. ADJOURNMENT:

There being no further business the meeting adjourned at 7:12 p.m.


Mitch Honaker, Deputy City Clerk