

**CITY OF DELTONA, FLORIDA
CITY COMMISSION WORKSHOP MEETING
MONDAY, MARCH 24, 2014**

A Workshop Meeting of the Deltona City Commission was held on Monday, March 24, 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	Webster Barnaby	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Fred Lowry	Present
Commissioner	Chris Nabicht	Present
Commissioner	Nancy Schleicher	Present
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; City Clerk Joyce Raftery; and Deputy City Manager Dale Baker.

3. PLEDGE TO THE FLAG:

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

4. BUSINESS:

A. Discussion and review re: Boards, Committees, and Sub-Committees.

Commissioner Denizac asked the intent of having the boards, committees, and sub-committees on the workshop agenda, and Mr. Denny replied that people had previously asked if the Commission would hold meetings with each board, to provide the Commission with the most current board information for discussion purposes, and that some of the boards had requested to schedule quarterly joint meetings with the Commission.

The Commission and staff discussed board input being taken into consideration, some board members feeling their views are not being heard, the boards being "advisory" boards to the Commission, the pros and cons of assigning a Commissioner to each board as a liaison, establishing City email addresses for board members, personal emails not being as open to Public Records Request as a City email address, firewall problems with giving board members a City email address, the Commission possibly having a joint meeting with each board at least once a year, board members being made up of Deltona residents, boards meeting for a specified purpose,

not meeting with the boards may give the false impressions to City board members that the Commission does not care, possibly reinstating the City's Beautification Advisory Board, perhaps boards that meet with a specific purpose only meeting once or twice a year, obtaining board recommendations in time for the budget review, providing board members with refresher training on the boards purpose, email and communication policies, meeting rules and the Sunshine Law .

Commissioner Denizac stated that she could not support a Commissioner attending board meetings.

Mayor Masiarczyk stated that he reads the board minutes, staff members do attend board meetings, perhaps schedule an update for each board to provide a report to the Commission every six (6) months at a workshop, and he is against a Commissioner attending board meetings.

The Commission discussed workshop agendas already being full, perhaps meeting with all boards on a Saturday, the best time to schedule board meetings, the City Manager obtaining input from the boards on providing a report to the Commission, establishing a standard time for board reports, board members time and being City volunteers, board meeting schedules varying between types of boards and each board's purpose, the City Manager and staff bringing back a schedule for board meetings/reports to the Commission, boards having the option of submitting a written or a verbal report, and not having a meeting without having a purpose.

The Commission and staff discussed that boards already submit quarterly reports to the Commission verbally or written during Regular Commission meetings, letting board members know the Commission will entertain having a joint meeting at the board's request, and the possibility of establishing another Deltona Beautification Board.

After discussion, the Commission concurred to continue with the scheduled quarterly board reports during regular Commission meetings and to have staff schedule joint meetings with those boards who would like to have them.

Mayor Masiarczyk opened and closed the meeting for public comment.

B. Review of all Deltona Facility Use Agreements (Policy #CC99-004, Guidelines for use of City Facilities & CC004-001, Facility Use and Agreement Requirements), Policy # CC99-005, In-Kind Donations to Deltona-based Not-for-Profit entities.

City Manager Dave Denny referenced a previous Workshop where staff was directed to come back with a suggested facility use fee schedule. He discussed the variables that were used to develop the proposed facility use fees are on page two (2) of Item 4-B in the Workshop Agenda packet and include employee time, chemicals, fertilizers, and other operational costs. He stated the purpose of the meeting was for the Commission to review staff's proposed fees, the in-kind donation schedules being in the packet for review, and his discussion with the City Attorney about establishing a standard facility use agreement to use with all entities. He asked if the Commission wanted to charge a facility use fee and if so staff's recommendations were provided based on the City's actual costs and looking at what other cities in Volusia County charge for its facilities.

The Commission and staff discussed facility kitchens in Deltona, the need for the City to start charging a fee for using Deltona facilities, establishing a projected fee implementation date to provide entities a time to forecast the fees into its budget, a suggested fee schedule implementation date of October 2014, not allowing entities a fee exemption, the fees being set just to recoup the City's costs, picnic pavilions being rented for four (4) hour shifts to try to meet the needs of residents and increasing pavilion rental fees, if establishing facility fees could possibly create a hardship on some entities that currently use Deltona facilities and how many would be negatively affected, the benefits to having community involvement in sports and activities, staff enforcing whatever decision the Commission makes, entities needing to find a sponsor to assist with paying fees, how far in advance facilities can be rented, the City not having a set time established to rent a facility in advance, Deltona not having enough parks, the real issue was the need for more lighted playing fields in Deltona, the costs for putting in and operating lighted playing fields, Dewey O. Boster's lighted fields costing the City approximately \$5,000 dollars per month, the City possibly not needing to start charge a facility use fee, the City running facility use fees like a business, taking the money that is currently going to pay operational costs for entities using City facilities at no costs and using that money to put in more lighted fields and differentiating between groups/sports teams using Deltona facilities and charging other entities like the Council on Aging, the Boys and Girls Club, and Tiano Boxing that could not operate without Deltona's facility contributions. Also discussed were the charges to participants to be a part of an organization, the need to put in more lighted playing fields without raising taxes, some entities receiving Community Development Block Grant (CDGB) funds, taking into consideration money that the City already gives to organizations like the Council on Aging, the need to charge all groups equitably across the board to cover the City's costs, comparing the cost of running a pavilion as to running a facility, and the splash pad needing to be open to everyone, not just an organized group.

Mayor Masiarczyk discussed higher levels of services are being provided today as compared to past facility services, the need to establish an equitable and fair facility fee schedule and the difficulty of doing so, fees raising the costs of every child who participates in sports programs and the varying expiration dates of current facility use agreements.

Vice Mayor Herzberg discussed entities using other city's facilities and paying fees in other cities when Deltona facilities are not available, and Deltona not charging for the use of playing fields.

Commissioner Schleicher discussed possibly establishing categories of the various entities that use Deltona facilities.

Commissioner Denizac discussed installing meters to determine how much energy is being used to light playing fields, breaking out and charging just the electrical costs for playing field use, and annually reviewing the fee schedule to make sure energy costs are covered.

Mayor Masiarczyk opened the meeting for public comment.

Dawn White, 1072 Santa Clara Drive, Deltona Panthers Youth Tackle Football & Cheerleading Association, stated that the organization is a member of Pop Warner which is a non-profit entity, the additional facility fees would come out to about an additional \$15,000.00 dollars for a three (3) month season, which would equate to approximately \$60.00 additional dollars per participant, the

group giving away around 40 scholarships per year, the Deltona Panthers only use Deltona playing fields, that she is not against paying some type of fee, but not what is suggested, and that DeBary charges around \$27.00 dollars per field.

Jim D'Errico, 1164 Bancroft Street, Vice President of the Deltona Youth Soccer Club (DYSC), stated that he understands running facilities like a business, but, \$75.00 dollars per hour would cost the DYSC between \$400.00 to \$500.00 hundred dollars per hour, per night, at four (4) nights a week. Paying those rates would mean that there would be 400 to 500 kids playing in other cities because of the fees, the DYSC is a non-profit organization, there are 100 parent volunteers, the organization makes repairs to fields as needed, he has applied for a grant to put buildings at Dewey O. Boster which would be for the City, the benefits and contributions to the City made by the DYSC, such as, helping the City with special events and fund raisers. He stated the fees at other cities are around \$22.00 to \$23.00 dollars per field, and that a nominal fee would be acceptable.

Nick alexander, 3220 Pine Oak Trail, President of the Deltona Little League, stated that the \$75.00 dollars per hour for lights would cost the organization around \$27,000 just for the spring season, and that kids in Deltona would wind up playing in other cities.

Michael Daly, 1931 Vienna Avenue, President of the West Volusia Youth Baseball (WVYB) league, stated that WVYB represents the City of Deltona, his coaches do use other fields for practices, he understands the City has a fiscal responsibility, his organizations is in the business of building character, keeping kids off the street, keeping children from doing illegal activities instead of participating in sports, leagues giving back to the community, the proposed fees would cause the loss of the West Volusia Youth Baseball League, parents already pay to play at high schools, participants are already paying for the uniforms, and DeBary has started a new league which took a team of players from Deltona.

Charlie Vance, 2270 Asbury Road, Director of the Deltona Adult Soccer League, stated he has been running the soccer league in the Deltona area for over 29 years, the league was established at the request of one (1) of the City's advisory boards, the organization is a 501-C league, it plays opposite the youth soccer league so the fields are not overused, he charges \$60.00 dollars per person which covers the participants uniforms, his fuel expenses, water, other bare medical and safety needs, and corporation and insurance costs. He discussed what it would cost the City to run the soccer programs, the cost for the professional referees, the league could afford maybe \$500.00 dollars per season, but the suggested hourly fees would bankrupt organizations in Deltona.

Commissioner Barnaby commended the public for its very compelling and rational arguments for why the City should look elsewhere to cover fees, the City needing to look at other avenues for funding, and be more creative in developing solutions to recoup facility operational costs.

Vice Mayor Herzberg thanked entity representatives for the input, agreed the proposed costs per hour is way too high, perhaps looking at a lower permit fee, the cost of level II background checks, facility use agreements for concessions, the City's liability insurance and what it covers, and looking at how the level II background procedures would occur.

Mayor Masiarczyk stated that he received an email from the Deltona Panthers explaining the

background check methodology and how the information increased his level of confidence in the current background check system, the City making sure organizations stick to the established agreements, concessions being a way to fund some programs, and staff doing exactly as asked in establishing a fee schedule that covers the City's operational facility use costs, determining an acceptable level of fees for the City to implement, facility use agreements needing to be established on an individual basis, and increasing pavilion rental fees by 10%.

Commissioner Denizac recommended not making any fee schedule decision until staff has provided a breakdown of electricity costs for using lighted playing fields, the Splashpad being available to the entire public and not reserved for one organization, budget review being a time to review costs, taking out emotions and taking an objective look at fees that will at least covering electrical costs, making hard decisions that are best for the entire City, and the need for the City and entities to be able to compromise.

Mr. Denny asked the Commission if he and staff could coordinate with the entities in Deltona to try and establish a fee schedule that would be acceptable to all parties, perhaps something as simple as \$5.00 per child or participant.

Commissioner Denizac suggested using recycle money to assist organizations instead of using it all for scholarships.

Vice Mayor Herzberg concurred with Commissioner Denizac's Splashpad comments, and she discussed charging organizations to use the Splashpad, not wanting to "low ball" facility fees and then make entities pay for the expense of a level II background check, looking at the wording of the City's concession agreements, making the wording very specific regarding requirements and hours of operation, and concession stand revenue possibly helping the City recoup playing field operational costs.

Commissioner Nabicht concurred with Mr. Denny's suggestion to establish a focus group to discuss an acceptable fee schedule to help pay some of the City's facilities electric bills, coming up with ways to offset the City's facility costs, organizations exploring sponsorships, and the focus group needing to come up with an acceptable fee schedule or the City is back to where the issue started with not being able to fund additional lighted playing fields, which the City needs more of.

The Commission discussed raising pavilion rental costs by 10%, not making any decisions on raising fees until after the City Manger meets with a fee schedule focus group, and tabling the discussion for a later date.

Commissioner Barnaby asked for the associated costs per playing field at each facility, yearly electrical costs, and Mr. Denny replied that he did not have data on every playing field in Deltona, but that at Dewey O. Boster the City is paying approximately \$50,000 dollars per year. He also discussed the City previously doing away with impact fees, developing creative ways with Deltona stakeholders to bring in additional revenue to supplement playing field lighting costs, and looking at what other organizations could be approached.

After discussion, the Commission concurred for the City Manager to establish a focus group with Deltona sports entities to discuss what would be fair and equitable facility costs, and developing a list of what the electrical costs are at each of Deltona's facility playing fields.

Commissioner Denizac asked if it were legal to go out on her own and approach organizations about donating funds to assist with facility operational costs, and Mayor Masiarczyk replied "yes".

Commissioner Nabicht discussed staff establishing a common language in the City's facility use agreement, and Mr. Denny replied that there is a need, and that staff would look at developing standardized verbiage in the portions of the facility use agreement that are germane to all entities. He also discussed establishing a social services or group partnership category for entities like the Council on Aging, and the Boys and Girls Clubs to be clarified or to be broken out differently in the City budget, providing a credit to the entities as opposed to recreational activities.

Commissioner Barnaby asked about the Grants Coordinator looking for possible grants to assist with facility costs, and he suggested the City's lobbyist and Representative Santiago could try and find entities to provide funds.

Mayor Masiarczyk stated that he has received a lot of requests from residents to have the City maintain vacant lots, but that the City cannot make a property owner maintain a vacant lot.

The Commission and staff discussed the legality of resident's cutting back overgrowth that has come onto the property, a resident being able to cut back overgrowth but without trespassing, Palm Coast having an ordinance that requires owners of vacant lots to maintain the property, and the Commission not looking at pursuing a vacant lot maintenance ordinance at this time.

Mayor Masiarczyk asked the City Attorney to provide an update on the Senior Center and the dispute concerning the Will of Genevieve R. Jablonski, and Mrs. Vose replied that there has been a settlement agreed upon between the Council on Aging (COA) and Salvation Army for a 50/50 split of the Jablonski Will proceeds, with a provision that the funds have to be used for senior services. Both entities discussed, and were not sure about a confidentiality provision in the agreement which she requested, but has not received a copy of the agreement, and she does not feel that she will be provided with one.

Mayor Masiarczyk stated that he called Mayor Apgar about the Will of Mrs. Jablonski since Mayor Apgar is on the COA board, and he stated that there is no confidentiality statement in the agreement and that Deltona should be getting a copy of the agreement. Mayor Masiarczyk stated that after reviewing the agreement, if the Commission feels it is not in the best interest of Deltona's seniors then the City will send a letter to the judge presiding over the hearing, which is set for next Monday, March 31, 2014, stating Deltona's point of view and support of Mrs. Jablonski's Will.

After discussion, the Commission concurred that the City Attorney would write a letter to the judge stating Deltona's support of Mrs. Jablonski's intent when she established her Will, to take care of the seniors in Deltona.

Mayor Masiarczyk opened the meeting for Public Comment.

Charlie Vance, 2270 Asbury Road, Director of the Deltona Adult Soccer League discussed the current procedures for entities to obtain background checks, sponsors currently funding scholarships who cannot afford club fees, and that paying City utility costs would take from the kids' scholarships.

Mayor Masiarczyk closed the meeting for Public Comment.

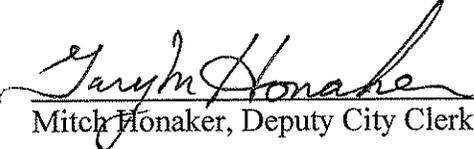
5. CITY MANAGER COMMENTS:

Mr. Denny discussed the joint meeting between the Commission and Charter Review Committee, and the need for the Commission to review and finalize the questions and verbiage for Deltona Charter amendments that need to be submitted to the Volusia County Supervisor of Elections.

After discussion, the Commission concurred to hold a Charter amendment review meeting on Thursday, March 27, 2014 at 11:00 a.m. in the second floor conference room.

6. ADJOURNMENT:

There being no further business the meeting adjourned at 7:23 p.m.


Mitch Honaker, Deputy City Clerk