

City of DeBary
CITY COUNCIL WORKSHOP
Wednesday
November 17, 2010
5:00 PM
City Council Chambers
16 Colomba Road
DeBary, Florida 32713

MINUTES

I. Call to Order

Vice Mayor Erickson called the workshop to order at 5:00 p.m.

II. Roll Call

Members Present: Vice Mayor Norman Erickson, Council Member Dan Hunt, Council Member Jack Lenzen, and Council Member Leonard Marks

Members Absent: Mayor Bob Garcia (excused)

Others Present: City Manager Dan Parrott, Assistant City Manager Cassandra Blissett, Finance Administrator Jimmie Seelbinder, Planning Administrator Rebecca Hammock, and City Clerk Stacy Tebo

III. Discussion Regarding Investment Policy

Mr. Parrott said that staff has been trying to develop more formalized operating policies, and the first two policies being developed are the Investment Policy and Purchasing Policy. He stated that local government investment policies are mandated by Section 218.415 of the Florida Statutes; that the statute outlines the purpose and manner in which excess funds are to be invested and places the highest priority on the “safety of principal and liquidity of funds”; that the proposed policy would delete derivative investment products as an authorized investment; that the proposed policy would implement credit quality criteria for authorized investments; that the proposed policy would implement rules that would reduce interest rate risks by structuring the portfolio with shorter maturity terms from the current five years to three years; and that the proposed policy would implement the continuing education requirement for the investment officials as required by Florida Statutes.

Council Member Hunt agreed with Mr. Parrott’s recommendation to stay away from derivatives and said that being more conservative is a wise move. He asked about the training requirement. Mr. Parrott answered that Florida Statutes require the training, and Mr. Seelbinder and himself would need to get the training by the end of the year.

Council Member Marks agreed with Mr. Parrott’s recommendations.

Council Member Lenzen asked if the State's SBA fund is rated. Mr. Parrott said he thinks they only rate the investments that they purchase. Council Member Lenzen said they should not risk taxpayer money, and he supports the manager's position.

Vice Mayor Erickson spoke about the recent trouble with the SBA, and said the problem was that they attached bonuses to the returns. He said he would like to see an underlined and strikethrough version of the old policy versus the proposed policy. He said he was also in favor of Mr. Parrott's suggestions.

Mr. Parrott spoke about internal controls and said once the investment policy is adopted, he would come back to Council with an internal control policy.

IV. Discussion Regarding Business Tax Receipts

Ms. Blissett stated that over the past few years, there have been discussions about imposing a business tax on merchants within DeBary; that of the sixteen incorporated cities in Volusia County, four do not have a business tax receipt program (Oak Hill, Lake Helen, Pierson and DeBary); that adoption of the business receipts would likely enhance the control over zoning regulations; that the City would be the starting point for all businesses that wish to operate within the City; that only after the City has issued the receipt, would the business entity be allowed to obtain the same through Volusia County; that new commercial businesses would be required to pay the fire inspection fee upon applying for a business tax receipt; that a fee comparison spreadsheet has been provided from the different Volusia County jurisdictions; and that a proposed City fee derived by averaging the fees from the other jurisdictions has also been included for Council's consideration.

Mr. Parrott spoke about the recent pain clinics moratoriums in adjacent jurisdictions and voiced concern that clinics would move to DeBary if they are disallowed everywhere else.

Mr. Parrott said that beyond paying for the costs to administer the program, they would direct the revenue to promote economic development in the City in the job opportunity fund.

Vice Mayor Erickson said he did not find anything out of line in terms of the fees. Mr. Parrott said they would use the average of the neighboring cities due to the requirements in the Florida Statutes.

Council Member Marks said he was in favor of it as it is time that the City is in control of its own destiny. He asked if they would be overburdening the neighborhood improvement office. Mr. Parrott said as they migrate towards complaint-based code enforcement, it would free up Mr. Hooker's time to address the business tax receipts.

Council Member Hunt agreed that the City needs to be involved and asked how the fee would be determined if the business was not listed in the fee schedule. Mr. Parrott responded that they have an unclassified category that could be used.

Council Member Lenzen said he does not have a problem with it, and it is long overdue. He agreed with the idea that the revenue should be directed towards the opportunity fund. He suggested that DeBary have the lowest fee, rather than the average. He added that since DeBary has the lowest millage rate, it should also have the lowest fees for business tax receipts.

V. Land Development Code Regulations to Implement Transit Oriented Development

Ms. Hammock briefly explained the adoption schedule. She reviewed the proposed incentives with the Council.

Council Member Lenzen suggested further ideas for incentives and said he liked Vice Mayor Erickson's use of the word "may" rather than "shall" so that future Councils have latitude to make decisions. The other members were in agreement.

Council Member Hunt asked staff to discuss what would happen if adjacent landowners developed under the current code with the new TOD area right next to the old.

Ms. Hammock spoke about itemizing the prohibited and permitted uses in the plan. There was Council discussion regarding the lists, and there was consensus that staff should use a comprehensive table of uses.

Jeff Richardson, consultant with CPH Engineers, suggested that they use general terms for uses.

Alex Law and Ginger Corless, consultants with HHI Design, explained the height limitations in the plan. There was discussion on the definition of height.

The Council members discussed their preferences for height limits in the various areas of the TOD overlay.

There was Council discussion regarding parking and the need to provide different ranges in the transitional area versus the core area of the TOD overlay.

Jeremy Owens, consultant with CPH Engineers, explained the proposed stormwater regulations to the Council.

Council Member Marks asked Mr. Owens to explained green vegetative roofs.

Council Member Lenzen asked Mr. Owens to discuss how a centralized stormwater system would work.

Mr. Law explained the intent of the signage regulations. Vice Mayor Erickson suggested a few minor changes in the signage section.

Vice Mayor Erickson noted that there is a community public workshop on November 23rd at 5:30 p.m. regarding the proposed land development regulations to implement TOD.

VI. Adjournment

The workshop adjourned at 6:59 p.m.

APPROVED
CITY OF DeBARY
CITY COUNCIL

Bob Garcia, Mayor

ATTEST:

Stacy Tebo, City Clerk