MINUTES FOR A REGULAR MEETING OF
THE CITY COMMISSION OF THE CITY OF DELAND
HELD ON MONDAY, SEPTEMBER 19, 2022, AT 7:00 P.M
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

CALL TO ORDER

The meeting was called to order by Mayor Apgar at 7:00 p.m.

Mayor Apgar requested anyone present who wishes to address the City Commission on an item appearing on tonight's agenda, or with regard to an item not on the agenda, please fill out a Speaker's Card and give it to the City Clerk. The public has a right to speak with regard to any item on which the City Commission is to take action.

INVOCATION

Associate Pastor Jenny Vander Haeghen, The Nazarene Church DeLand, gave the Invocation.

PLEDGE OF ALLEGIANCE

Harrison Bitler, Boy Scout with Troop 340, led the Pledge of Allegiance to the Flag.

ROLL CALL

Commissioner Charles Paiva	Present
Commissioner Jessica Davis	Present
Commissioner Chris Cloudman	Present
Commissioner Kevin Reid	Present
Mayor Robert F. Apgar	Present

ALSO PRESENT: Michael Pleus, City Manager; Darren Elkind, City Attorney, Julie Hennessy, City Clerk-Auditor; Jason Umberger, Police Chief; Todd Allen, Fire Chief; Michael Grebosz, Assistant City Manager; Dan Stauffer, Finance Director; Rick Werbiskis, Community Development Director; Jim Ailes, Deputy Public Service/Utilities Director; Ray Underwood, Public Works Director; Nick Conte, Economic Development Manager; Mark Hayward, Human Resources Director; Kieu Moses, Risk/Safety/Events Manager; Chris Graham, Community Information Manager

PUBLIC HEARING

1. Resolution Approving Fiscal Year 2022-2023 Final Millage Rate

Mayor Apgar opened the Public Hearing.

Michael Pleus, City Manager, addressed the City Commission and thanked them for allowing him the opportunity to present the recommended budget for fiscal year 2022-2023. He stated it means a lot to staff members that the City Commissioners take time to review and understand the budget requests. He also thanked Dan Staffer, Finance Director; Heidi VanEtten, Assistant Finance Director; and Nick Segel, Budget Manager for their hard work. The budget process begins with the strategic plan discussion in February, at which time the Commission sets forth priorities for the year. This year the priorities encompass a robust list and a lot of things have been included in this budget.

Looking at this year's budget, there has been a 39.56% increase, largely due to capital projects in the program which includes a $35 million Wastewater Treatment Plant expansion. The amount of a capital project is placed in the budget during the year it is budgeted, which brings the appearance that the budget is overly inflated. This is also part of the reason the City of DeLand has separated Special Grants & Revenue Fund and Capital fund.

Mr. Pleus reviewed what is included in the general fund budget. A Major Capital Investment will include the next phase of the Paiva Greenway. The City received an ECHO grant and is in the process of bidding this project. The trail will go from the current terminus point at Stetson's campus, all the way up to 92 and connect with the State trail. The next phase will be toward Sunrail, which will connect the entire trail system with the County's Spring to Spring Trail.

Lake Moore is one hundred twenty-six acres the City is looking to purchase through the Volusia Forever program. Volusia County has been informed the City agreed to match funds and an offer has been submitted. Southeast Regional Park, is the result thirteen acres deeded over to the City of DeLand when Victoria Park was developed. This year staff will explore what that thirteen acres will be used for and at this time practice fields are being considered.

Entry features in the City of DeLand are being designed and will be underway with approval of the budget.

The largest commitment the City of DeLand has ever made to road resurfacing is included in this budget.

As the City of DeLand grows, additional personnel are necessary and have been included in the budget.

Updating of the Land Development Regulations and the Comprehensive Plan will be completed. These updates will take a significant amount of time and what was not listed in this presentation is the major update to the City's strategic plan which will begin sometime in January.

The next phase of Advanced Life Support is being addressed in the recommended budget.

Mr. Pleus discussed new positions included in the budget, as well as, personnel salary increases, career track promotions and position upgrades. He also mentioned the increase in health insurance.

Mr. Pleus was proud to state the City Commission challenged staff to bring forth a reduced millage rate during the budget workshops. Staff achieved this goal and the recommended millage is 6.5841 mills, 7.02% over the rolled back rate and well below the rate of inflation which is at 8.03%.

Mr. Pleus presented tax scenarios and the impact to taxpayers, which is improved significantly both on residential and commercial with this reduction in millage.

The government debt will increase with this budget in order to accomplish capital goals, approximately $9.9 million. The City of DeLand is still successful in terms of debt ratio.

Mr. Pleus discussed the Homeless Shelter Fund which captures operating costs for the Homeless Shelter and Day Center. This program is offset by donations from other local governments, churches and businesses, even though there is still a year over year increase.

Water and Sewer Funds mirror what has been done in the general fund in terms of merit increases and new positions.

The capital program is rather large, which includes the wastewater treatment plant expansion.

Impact fees for water and sewer will be broken out between water and wastewater. These fees need to be used for capacity expansion.

The Airport fund mirrors other funds for merit increases and health insurance. It includes the capital fund for the airport which is paid for by lease revenue from tenants at the airport. There are no general fund contributions to the airport.

The stormwater fund mirrors other funds for personnel and four new positions will be added. The city formerly used prison crews to assist with maintenance, but those crews are no longer available causing the need for additional personnel. There are also capital projects in the stormwater fund. The Fire Station Pump Station Design is dependent upon participation by FDOT on that project to help alleviate flooding in the area.

Permits and Inspections includes merit increases and additional positions.

Dan Stauffer, Finance Director, stated per Florida Statute, the final operating millage for the City of DeLand, necessary to fund the final fiscal year 2022-2023 budget is 6.5841 mills. This rate is 7.02% above the rolled-back rate of 6.1520 mills.

Commissioner Paiva made a motion to approve the resolution. Commissioner Reid seconded the motion.

Commissioner Cloudman commended staff for a job well done.

Commissioner Paiva also thanked staff and the City Manager for a job well done. He recognized that a lot of money has been leveraged to supplement City funds and this results in the residents of DeLand experiencing a lot of value without being taxed for same.

Commissioner Davis thanked staff for a very comprehensive and easy to understand budget process. She appreciates staff being proactive in searching for grant funding.

Commissioner Reid extended his appreciation to staff and looks forward to starting the process over again.

Mayor Apgar called for a vote.

The motion was approved by the following roll call vote.

Commissioner Paiva	YES
Commissioner Davis	YES
Commissioner Cloudman	YES
Commissioner Reid	YES
Mayor Apgar	YES

2. Resolution Approving Fiscal Year 2022-2023 Final Budget

Commissioner Paiva made a motion to approve the Resolution. Commissioner Reid seconded the motion. The motion was approved by the following roll call vote.

Commissioner Paiva	YES
Commissioner Davis	YES
Commissioner Cloudman	YES
Commissioner Reid	YES
Mayor Apgar	YES

PRESENTATIONS

1. Recognition of Fire and Police Personnel re: Florida Department of Transportation Tower Incident

Police Chief Umberger and Fire Chief Allen were invited up to make presentation to employees who were involved in a recent incident involving the FDOT tower.

Chief Allen provided a summary and highlights of the incident which occurred at 719 S Woodland Blvd. He stated this rescue was unique because of the coordination and cooperation between the two departments, and quick actions that led to saving a life. Balancing some personal risks and some unknowns of the radio tower and the urgency of an individual who was not breathing, the determination was made to gather for immediate action. This is one of those incidents considered high risk and low frequency. Some background was provided about the patient who climbed the radio tower with the intent to take his own life.

Police Chief Umberger highlighted exceptional teamwork among the Police and Fire Departments. He said it is a rarity to see Fire and Police work together so cooperatively. DeLand Police and Fire Departments work together as a team to protect life and property in the City. This day highlighted outstanding professionalism on the part of all individuals in both departments.

Awards of Merit were presented to Police Officers Jackson Miller and Jonathan Jones.

Meritorious Service Awards were presented to Lt. Ariel Silvestri and Driver/Engineer Chris Murray

Recognition of other units who were on scene were mentioned. Unit Commendations were presented to the following firefighters: Josh Brown, Trent Sanders, Jeff von Bretzel, Adam Bruce, DeLand Fire Driver/Engineer Mike Mueller; Fire Lt. Jamie Lunsford.

Mayor Apgar, on behalf of the City Commission, thanked DeLand's first responders for a job well done.

CONSENT AGENDA

1. Resolution Approving Budget Amendment for FY 2021-2022
2. Consideration re: Recognition of "Right of First Refusal" between HEINZ and the City of DeLand
3. Consideration re: Renewal of Contract Agreement with Team Volusia Economic Development Corporation, FY 2022-2023
4. Consideration re: Renewal of Contract Agreement with DeLand Area Chamber of Commerce, FY 2022-2023
5. Consideration re: Lease Agreement with DeLand Area Chamber of Commerce

6. Consideration re: Renewal of Travelers Wrap Plus Policy for Fiduciary Liability Coverage for City's Retirement Plans
7. Consideration re: Renewal Contract for Fire Department Critical Care Cancer Insurance Policy
8. Consideration re: Third Party Access and Use Agreement for Fire Reports and EMS Charts with Zoll Data Systems, Inc. (through Volusia County Procurement)
9. Consideration re: Approval of Property/Casualty, General Liability, Auto Insurance, Worker's Compensation and Ancillary Coverage Renewal
10. Resolution Approving Sole Source Purchase Order – Biosolids Handling Services
11. Consideration re: Award of Bid for Annual Cooperative Water and Wastewater Chemicals

Item 4 was pulled from the Consent Agenda.

Commissioner Paiva made a motion to approve items 1-3 and 5-11 on the Consent Agenda. Commissioner Reid seconded the motion.

On Item 4, Commissioner Cloudman requested ongoing quarterly reports from the Chamber pertaining to how business is going and what services are being provided.

Commissioner Reid stated appreciation for everything the Chamber of Commerce does for the City of DeLand. He would like to see more focus placed on provision of a community liaison. This would be a great help to small businesses who wish to open in the City of DeLand and need assistance navigating the Planning & Zoning and permitting processes.

Mayor Apgar referred to a recent conversation with Janet Knauff, President of the Chamber, regarding Monday Morning Octane meetings. He noted for the last several weeks there have been 70+ businesses in attendance which is indicative of solid growth.

Commissioner Paiva made a motion to approve item 4 on the Consent Agenda. Commissioner Cloudman seconded the motion. The motion was unanimously approved.

Mr. Elkind, City Attorney, asked Mayor Apgar to ask for a motion to reconsider the vote where items 1-3 and 6-11 on the Consent Agenda were approved.

Commissioner Paiva made a motion to reconsider items 1-3 and 5-11 on the Consent Agenda. Commissioner Cloudman seconded the motion. The motion carried by a unanimous vote.

Commissioner Paiva made a motion to approve items 1-3, 5, 8 and 11 on the Consent Agenda. Commissioner Davis seconded the motion. The motion carried by a unanimous vote.

Commissioner Reid indicated a need to abstain from voting on items 6 and 7 on the Consent Agenda.

Commissioner Paiva made a motion to approve items 6 and 7 on the Consent Agenda. Commissioner Davis seconded the motion. The motion carried by a vote of 4 to 0, Commissioner Reid abstained from voting due to potential conflict of interest.

Commissioner Paiva made a motion to approve items 9 and 10 on the Consent Agenda. Commissioner Cloudman seconded the motion. The motion carried by a unanimous vote.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

Sherry Decrenza, 507 Sandale Court, stated Summer Woods was developed twenty years ago and there was a homeowner's association at that time. Subsequently, Stetson University purchased several of the homes. The City has assisted with the retention pond, which still belongs to the homeowner's association. However, Ms. DeCrenza asked if the City Commission would consider taking over maintenance of the pond since there aren't enough residents who are willing to form a homeowner's association board.

Mr. Pleus, City Manager, stated there have been internal conversations with regard to the retention pond. He suggested the City may remove the credit on the homeowner's bills for the retention pond and then take on maintenance of the area.

Mayor Apgar asked if the City is maintaining the retention pond, if the homeowners would still own the property. Mr. Elkind advised subdivisions are set up with an HOA, and in this case it would take over responsibility for operation and maintenance of the pond. In analyzing this situation, the ability for the City to create a special assessment district does exist which would allow the City to collect assessment fees to be used to maintain the area. He has concluded because in some part this retention area serves a public roadway, the City would be within its legal rights, based on prior opinions of the attorney general, to do a special assessment district. Easement for access would have to be granted to the City although Mr. Elkind does not think the City would want to take ownership of the pond. Mr. Elkind advised the HOA may need to be regenerated and four people would be necessary to serve. Ms. DeCrenza said there is such a large number of rental properties in the neighborhood, owned by Stetson University, it has been difficult to get anyone to commit to serve on a HOA. Mr. Elkind asked Ms. DeCrenza to get with him following the meeting, to further discuss.

CITY COMMISSION REPORTS

1. Report re: Elected Official Round Table

There was not a round table meeting.

2. Report re: River to Sea TPO

Commissioner Cloudman stated the River to Sea TPO meeting will be held next week.

3. Report re: River of Lakes Heritage Corridor

Commissioner Cloudman reported a meeting was held at the Enterprise Museum where Georgia Turner gave an update on Volusia County Tourism. Sharon Strouse, Executive Director of Florida Scenic Highways, presented Georgia Turner the Gary Balogh Inspiring Excellence Award.

Commissioner Paiva said following Mayor Apgar's 34 years of dedicated service to the City of DeLand, it is going to be difficult going forward. Given Mayor Apgar's lengthy service and the legacy he is leaving on the City of DeLand, he asked the City Commission to consider making a motion to name the new sports complex the Robert F. Apgar Sports Complex.

Commissioner Paiva made a motion to name the sports complex after Robert F. Apgar. Commissioner Cloudman seconded the motion. The motion carried by a unanimous vote.

Mr. Pleus reported CPH Engineering has been doing some pro-bono work for the City on signage and the process of raising money will begin so as to get this done in honor of Mayor Apgar.

Each of the City Commissioners took a moment to thank Mayor Apgar for his service and let him know how much he is appreciated and will be missed. Credit was given for so much that has been accomplished under the leadership of Mayor Apgar.

Commissioner Davis thanked the Police and Fire Departments for a beautiful 9/11 Memorial Breakfast. She and her daughter were in attendance and thoroughly enjoyed the event.

Commissioner Davis also saw a film recently, The Woman King, and she met with the assistant director who is a DeLand native. Commissioner Davis would like to introduce Asia Horne to the City Commission at a future meeting.

CITY MANAGER REPORT

Mr. Pleus reminded the City Commission there will be a workshop next Monday on the 2050 Vision Plan. He has sent two questions to each commissioner as a primer to the workshop. He also mentioned the Superstar Students program will restart October 3, 2022.

Mr. Pleus asked the City Commission's pleasure on having him look into finding a lobbyist who may assist the city with appropriations funding. There was no objection. Mr. Pleus would be looking for someone who specializes in budget appropriations.

CITY ATTORNEY REPORT

Nothing to report.

Commissioner Davis said Conquer the Skies was held this past Saturday. She thanked airport personnel for providing materials and giveaways to local youth. She stated that program will be held annually and is a great way to expose youth to different opportunities they may not get from the classroom.

Mayor Apgar mentioned the fall festival, parks had a poster unveiling after the 9/11 event at the Fire Department. Chief Umberger and Mayor Apgar also attended First Assembly to recognize their pastor for 30 years of service in the church and also as a Police Chaplain.

The League of Cities dinner will be held on Thursday.

Spring Garden Avenue ribbon cutting will be held at 5:00 p.m. on Thursday.

Mayor Apgar began his closing comments pertaining to the years he has served as Mayor for the City of DeLand. He talked about the many experiences he has had while serving the City. Having been asked about the changes he has seen during his tenure as a City Commissioner and Mayor, he stated the explosion in technology and the use of social media have been very significant changes. Mayor Apgar stated the assault on home rule by the legislature, pre-emption by legislature and more regulations at the State and Federal levels that limit a municipal government's ability to govern have been very large changes during his tenure. He also discussed additional changes he has seen with regard to voters, distrust of government, loss of civility and diversity.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:24 p.m.

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Julie Hennessy, MMC
City-Clerk Auditor

Prepared by:
Dale Arrington
Interim City Clerk

APPROVED:
07/20/2026

CITY CLERK REPORT

1. Board Announcements

Julie Hennessy, City Clerk-Auditor, provided a list of vacancies on various boards and committees including the Planning Board, the Citizens Advisory Task Force, DeLand Housing Authority and the Brownfield Advisory Committee.

Commissioner Cloudman asked Mr. Chris Graham to help push the need for applications.

Ms. Hennessy affirmed the City Commission is looking to appoint 5 people to the Brownfield Committee.

CITY COMMISSION

Commissioner Reid echoed Commissioner Davis' earlier comments about the 9/11 memorial breakfast. He appreciates the time staff put into the pancake breakfast and stated events such as this are a good way to build comradery with the department and with DeLand citizens.

Commissioner Reid served on the Florida League of Cities Policy Committee for Land Use and Economic Development. There are about six items of focus and he will report as the committee progresses with their work.

On September 22, 2022, there is supposed to be an unveiling of "The Hill" Mural on Voorhis Ave. The ceremony is scheduled at 5:30 p.m. Mr. Grebosz noted the artist and the business owner did not reach out to the City in time to request a road closure, which typically takes 30 days. Staff is working to see if the request may be accommodated, but there are some other events scheduled that may interfere. City Commissioners will be notified once it is determined whether or not the event will happen.

Mr. Pleus, City Manager, introduced Mr. Tywan Arrington from Team Volusia.

Commissioner Cloudman stated event season is here and the recent Spring Hill Turn Festival was nicely done. The Facilities Department won an award.

Main Street DeLand will be hosting the DeLand Craft Fair this coming weekend and they still need volunteers.