

City of DeBary
REGULAR CITY COUNCIL MEETING
Wednesday
December 3, 2014
7 PM
City Council Chambers
16 Colomba Road
DeBary, Florida 32713

MINUTES

I. Call To Order

Interim Mayor Carson called the meeting to order at 7:05 p.m.

II. Roll Call

Members Present: Interim Mayor Chris Carson, Vice Mayor Dan Hunt, Council Member Rick Dwyer, and Council Member Lita Handy-Peters

Members Absent: Council Member Sid Vihlen, Jr.

Others Present: City Manager Dan Parrott, City Clerk Stacy Tebo, Assistant City Manager Cassandra Blissett, Planning Administrator Rebecca Hammock, and City Attorney Kurt Ardaman

III. Committee Reports

IV. Public Participation For Any Issues Not On the Agenda - Citizen comments are limited to three minutes per speaker.

Norm Erickson, Morton Culligan, and Greg Gimbert addressed the Council.

V. Approval of Minutes

1. Regular City Council Meeting held November 5, 2014.
2. City Council Workshop held November 19, 2014.

Council Member Dwyer moved to approve the minutes as presented. Vice Mayor Hunt seconded, and the motion passed unanimously.

VI. Additions, Deletions, or Amendments to the Agenda

Interim Mayor Carson added a third item to New Business regarding City Council stipends.

VII. Presentations

None.

VIII. Consent Agenda

None.

IX. Public Hearings

Members of the Council should disclose for the record the substance of any ex-parte communication that has occurred before or during the public hearings for the following items:

1. Ordinance #10-14 – Second Reading - Adopting the 2015 Capital Improvement Program.

Mr. Ardaman read Ordinance #10-14 aloud by title. Vice Mayor Hunt moved to approve Ordinance #10-14 on second and final reading, and Council Member Handy-Peters seconded. The motion passed unanimously.

Before the commencement of the quasi-judicial hearings, all witnesses were sworn in by Ms. Tebo.

2. Special Exception Case # 14-02-SKYWAY- Request to Permit a 199 Foot Tall Monopole Cell Tower with Associated Equipment within a ~5,100 Square Foot Compound on Property Located at 479 W. Highbanks Road.

Council Member Dwyer moved to deny the special exception request, Case #14-02-SKYWAY. Council Member Handy-Peters seconded. The motion passed 3-1, with Vice Mayor Hunt dissenting.

3. Special Exception Case # 14-03- SE-MULDER- Request to Allow a Garage Apartment for Family Members of the Occupants of the Primary Residential Structure at 617 Fort Florida Point Road.

Vice Mayor Hunt moved to approve the special exception request, Case # 14-03-SE-MULDER. Council Member Dwyer seconded, and the motion passed unanimously.

4. Ordinance #11-14 - First Reading - Major Planned Unit Development (PUD) Amendment #14-01-PUD-GLENAB - Request to Amend the PUD for Approximately 5.7 acres from the Approved Use of 20 Townhomes and an Existing Cell Tower to 15 Single Family Residential Units and the Existing Cell Tower.

Mr. Ardaman read Ordinance #11-14 aloud by title. Council Member Dwyer moved to approve Ordinance #11-14 on first reading. Council Member Handy-Peters seconded, and the motion passed unanimously.

5. Ordinance #12-14 - First Reading - Major Planned Unit Development (PUD) Amendment #14-02-PUD-SHOPPES – Request to Amend the PUD for Approximately 17.77 Acres Known as Commercial Area #2 of the Swallows PUD to Approve a Master Plan and Development Agreement for a Shopping Center with Commercial Uses with a 44,000 Square Foot Anchor Tenant, 15,000 Square Feet of Retail Shops and Two Out Parcels. (**NOTE: The applicant has requested a continuance on this item to a special meeting in January. The City is seeking a bigger venue to accommodate all those who wish to participate. However, the Council must grant or deny this request at the meeting.)

Council Member Handy-Peters moved to continue the hearing to January 14, 2015, at 6:00 P.M. at Florence K. Little Town Hall. Vice Mayor Hunt seconded the motion. The motion passed 3-1, with Council Member Dwyer dissenting.

X. Growth Management and Development Review

1. Final Site Plan Application for St. Ann’s Catholic Church Parking Lot Expansion.

Vice Mayor Hunt moved to approve the final site plan for Case # 14-01-FSP-St. Ann's Church for a parking lot expansion and new US Hwy 17-92 driveway access. Council Member Handy-Peters seconded the motion, and it passed unanimously.

2. Approval of Sign Grant Applications.

Council Member Dwyer moved to approve the five applications for funding, subject to building permitting and compliance with City codes. Vice Mayor Hunt seconded, and the motion passed unanimously.

XI. Old Business

1. DBK Incentive Payment.

Council Member Dwyer moved to approve payment of \$6,000 to DBK, Inc. in accordance with the Job Growth Incentive Economic Development Agreement. Council Member Handy-Peters seconded, and the motion passed unanimously.

XII. New Business

1. Award of the Public Safety Complex (Bid #06-14) to Mulligan Constructors, Inc.

Council Member Handy-Peters moved that the City award the Public Safety Complex (Bid #06-14) construction contract to the lowest and responsible bidder, Mulligan Contractors, Inc. in the amount of \$1,097,000 and execute contracts upon receipt of the executed Performance Bond, Payment Bond, Insurance Certification Form, and Agreement Form, with a contingency amount of \$24,000 for the total project cost of \$1,121,000. Council Member Dwyer seconded, and the motion passed unanimously.

2. Resolution #14-18 – Adopting a Budget Amendment for Fiscal Year 2014/2015.

Mr. Ardaman read Resolution #14-18 aloud by title. Vice Mayor Hunt moved to adopt Resolution #14-18 to amend the FY 2014-2015 annual budget. Council Member Handy-Peters seconded, and the motion passed unanimously.

3. City Council Stipends (Added by Interim Mayor Carson)

There was no action taken.

XIII. Council Member/Staff Reports

1. Board / Committee Appointments
 Planning & Zoning Commission
 Regular Member - Council Member Handy-Peters

Council Member Handy-Peters moved to appoint Mary Mula. Council Member Dwyer seconded, and the motion passed unanimously.

 Orlandia Heights Neighborhood Improvement District
 Regular Member - At Large

Interim Mayor Carson moved to appoint Charlie Moses, and Vice Mayor Hunt seconded. The motion passed unanimously.

Volusia Growth Management Commission

Council Member Handy-Peters moved to appoint Sid Vihlen, Jr., effective 1/1/15. Council Member Dwyer seconded, and the motion passed unanimously.

2. Member Reports/Communications
 - A. Mayor and Council Members
 - B. City Manager
 - C. City Attorney

XIV. Date of Upcoming Meeting and/or Workshop

1. City Council Workshop December 17, 2014.
2. Regular City Council Meeting January 7, 2015.

XV. Adjournment

The meeting adjourned at 10:30 p.m.

**APPROVED
CITY OF DeBARY
CITY COUNCIL**

Clint Johnson, Mayor

ATTEST:

Stacy Tebo, City Clerk