

**City of DeBary
SPECIAL CITY COUNCIL MEETING**

**Monday
August 24, 2009
6:00 PM**
City Council Chambers
16 Colomba Road
DeBary, Florida 32713

MINUTES

I. Call to Order

Mayor Garcia called the meeting to order at 6:00 p.m.

II. Roll Call

Members Present: Mayor Garcia, Vice Mayor Erickson, Council Member Van Conoley, Council Member Jack Lenzen, and Council Member Leonard Marks

Others Present: Acting City Manager Anthony Gonzalez, City Clerk Stacy Tebo, and Assistant City Attorney Dan Langley

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

Millie Murray, 219 Valencia Road, stated that the Council should hire a local person to fill the city manager position instead of hiring someone from out of the State.

Marlee Grein, 34 Naranja Road, praised Mr. Gonzalez and thanked him for his service to the City.

IV. Approval of Minutes

None.

V. Additions, Deletions, or Amendments to the Agenda

Mr. Gonzalez informed the Council of a situation in the DeBary Golf and Country Club requiring immediate action. He asked the Council for permission to have Briar Corporation address the washout and secure the road. Council Member Marks made a motion to approve his request, and Council Member Lenzen seconded. The motion passed unanimously.

Council Member Conoley asked to add a discussion of volunteer applications for committees and treating everyone fairly.

Mr. Langley suggested the addition of a discussion regarding Kenneth Weaver's contract

VI. Presentations

None.

VII. Consent Agenda

*Agenda items marked with * are considered routine matters or have been previously discussed by the City Council. All items are considered by one motion unless removed from the Consent agenda by a member of the City Council.*

None.

VIII. 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 item:

None.

IX. Growth Management and Development Review

None.

X. Old Business

None.

XI. New Business

1. Discussion of Resignation of Interim City Manager.

Mayor Garcia stated that he received a letter of resignation from Mr. Gonzalez effective September 18, 2009, and he is concerned that the City does not yet have a contract with Mr. Weaver. He added that he received a phone call from the Florida League of Cities offering their assistance to DeBary.

Vice Mayor Erickson made a motion to accept the resignation, and Council Member Conoley seconded. The motion passed 4-1, with Mayor Garcia dissenting.

2. Discussion by Council Member Conoley Regarding Volunteer Applications.

Council Member Conoley stated that a citizen had submitted her volunteer application to City Hall; that she gave it to the secretary downstairs, and it never made it to the City Clerk's office; that the volunteer committees and boards in the City are very important, and all citizens should be treated fairly; and that he would like to ask Mr. Gonzalez to look into the situation and track down the missing application.

Mr. Gonzalez responded that he had checked with both employees at the front desk, and the application had simply been misplaced.

Vice Mayor Erickson asked about the status of the Strategic Planning Steering Committee. Mr. Gonzalez answered that he had spoken with Mr. Abels, and his recommendation was to wait until the new manager takes over for the Committee to meet again.

3. Kenneth Weaver's Contract.

The Council members extensively discussed the two versions of the city manager contract and noted which provisions they preferred in each.

Mr. Langley explained the provisions for salary increases and performance evaluations. He outlined the reasons for dismissal that he added to the contract.

The Council members discussed the severance package that should be offered to the new city manager.

Mr. Langley said he would make the corrections discussed, send each Council member a copy, and then forward it to Mr. Weaver.

Charles Spalding, 168 Lash Drive, questioned the term of the contract. Mr. Langley explained that the City Charter states that the manager should be appointed for an indefinite term.

Debbie Cloaninger, 449 Fox Run, thanked the Mayor for his judgement and for returning her call promptly.

XII. Council Member/Committee/Staff Reports

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

No reports were made.

XIII. Adjournment

The meeting adjourned at 8:57 p.m.

**APPROVED
CITY OF DeBARY
CITY COUNCIL**

Bob Garcia, Mayor

ATTEST:

Stacy Tebo, City Clerk