

**City of DeBary**  
**REGULAR CITY COUNCIL MEETING**  
**Wednesday**  
**April 6, 2011**  
**7 PM**  
City Council Chambers  
16 Colomba Road  
DeBary, Florida 32713

**MINUTES**

**I. Call To Order**

Mayor Garcia called the meeting to order at 7:02 p.m.

**II. Roll Call**

**Members Present:** Mayor Bob Garcia, Vice Mayor Jack Lenzen, Council Member Chris Carson, Council Member Dan Hunt, and Council Member Nick Koval

**Others Present:** City Manager Dan Parrott, Assistant City Manager Cassandra Blissett, City Clerk Stacy Tebo, and Assistant City Attorney Dan Langley

**III. Committee Reports**

None.

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

Marlee Grein, 34 Naranja Road, spoke in favor of the City adopting a mandatory spay and neuter ordinance.

Barbara Sipler, 193 Hammock Oak Circle, voiced concern regarding landscaping in the City's right-of-way in the DeBary Golf and Country Club.

James R. Johnson, 10 Dalewood Drive, proposed that the City adopt an anti-tethering ordinance for animals such as Seminole County recently passed. Council Member Hunt said he would be interested in seeing ordinances approved by other jurisdictions. There was Council consensus to have Mr. Parrott research the issue.

Rodney Silver, 308 Hammock Oak Circle, introduced himself as a newly elected director of the DeBary Plantation Homeowners Association and spoke about the need for a street light at a school bus stop at the corner of Donald Smith Boulevard and Hammock Oak Circle.

George Coleman, 286 DeLeon Road, spoke about signage and business in the City.

David McLean, 472 Sotheby Way, spoke about the issue raised by Ms. Sipler and agreed that certain homeowners have planted their landscaping in the City's right-of-way.

**V. Approval of Minutes**

1. City Council Workshop held March 16, 2011.
2. Regular City Council Meeting held March 16, 2011.

Council Member Koval moved to approve both sets of minutes as presented. Council Member Carson seconded, and the motion passed unanimously.

**VI. Additions, Deletions, or Amendments to the Agenda**

None.

**VII. Presentations**

1. Proclamation Declaring April 17<sup>th</sup> through April 23<sup>rd</sup> as Childhood Cancer Awareness Week.

Mayor Garcia read the proclamation aloud.

2. Proclamation Declaring April as Florida Volunteer Month.

Mayor Garcia read the proclamation aloud.

**VIII. 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.

**IX. Public Hearings**

1. Ordinance #03-11 – Amending the DeBary Code of Ordinances to Provide a Definition for Solicitors and to Create Rules for Solicitation.

Mr. Langley read Ordinance #03-11 aloud by title.

Ms. Blissett provided a brief background on the solicitation issue and noted the additions that were made to the draft ordinance following the previous Council workshop. She pointed out the verbiage regarding candidates.

Council Member Carson made a motion to approve Ordinance #03-11 on first reading, amending the Code of Ordinances to define and regulate solicitors' activities in the City and to provide for a permitting process through the business tax receipts application. Council Member Koval seconded, and the motion passed unanimously.

2. Resolution #11-05 – Supplemental FDOT LAP Agreement for the Naranja Sidewalk Project.

Mr. Langley read Resolution #11-05 aloud by title.

Mr. Parrott stated that the Council approved the LAP agreement with FDOT for the Naranja Sidewalk Project at the February 16<sup>th</sup> meeting, but the inserts with the invoice reimbursement language were omitted in the original agreement.

Council Member Koval moved to approve Resolution #11-05 and enter the supplemental LAP agreement inserts with the invoice reimbursement language that was omitted in the original LAP Agreement. Council Member Hunt seconded, and the motion passed unanimously.

3. Resolution #11-06 – Supporting SunRail.

Mr. Langley read Resolution #11-06 aloud by title.

Council Member Hunt moved to approve Resolution #11-06, and Council Member Carson seconded. The motion passed unanimously.

**X. Growth Management and Development Review**

None.

**XI. Old Business**

1. Approval of Temporary Sign Regulations.

Mr. Parrott stated that the proposed regulations reflect Council direction from the March 16<sup>th</sup> Council Workshop.

Council Member Koval moved to approve the temporary sign regulations until May 31, 2012, or until a revised sign ordinance is passed by Council. Council Member Hunt seconded, and the motion passed unanimously.

**XII. New Business**

None.

**XIII. Council Member/Staff Reports**

1. Member Reports/Communications
  - A. Mayor and Council Members

Mayor Garcia voiced his strong support for SunRail and its importance to the City of DeBary.

Vice Mayor Lenzen said the Council attended the recent Volusia League of Cities meeting hosted by the County in Daytona Beach. He spoke about the reasons he supports SunRail. He voiced concern regarding several proposed bills at the State Legislature that might seriously hamper the City's budget if passed.

Council Member Hunt affirmed his support of SunRail and said he appreciated Vice Mayor Lenzen's comments. He noted the City's quick reaction to the recent storm and voiced appreciation as a citizen. He said he was looking forward to the Fourth of July celebration in DeBary.

Council Member Koval also voiced support for SunRail and spoke about creating jobs by getting back to manufacturing. He said he is still pursuing the banking program, and hopes it will be operational in

the next school year at DeBary Elementary. He informed the members that he wrote a letter to the State legislators regarding the importance of libraries.

Council Member Carson thanked everyone for their efforts with the Community Events Committee. He congratulated Mayor Garcia on being named a Volusia County Elected Official of the Year finalist. He stated he would like to see the issue raised by two citizens during Public Participation resolved at the DeBary Golf and Country Club.

There was extensive Council discussion regarding the issue.

Council Member Carson suggested that the City send a letter to the HOA recommending that they install vegetation in the common area. Mr. Parrott said he would prepare an item for the next meeting to be voted on by the Council.

B. City Manager

Mr. Parrott gave a brief report on the recent storm.

C. City Attorney

Mr. Langley had nothing to report.

#### **XIV. Adjournment**

The meeting adjourned at 8:55 p.m.

**APPROVED April 20, 2011  
CITY OF DeBARY  
CITY COUNCIL**

**Bob Garcia, Mayor**

**ATTEST:**

**Stacy Tebo, City Clerk**