

City of DeBary
CITY COUNCIL WORKSHOP
Wednesday
April 20, 2011
6:00 PM
City Council Chambers
16 Colomba Road
DeBary, Florida 32713

MINUTES

I. Call to Order

Vice Mayor Lenzen called the workshop to order at 6:05 p.m.

II. Roll Call

Members Present: Mayor Bob Garcia (late), 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, and City Clerk Stacy Tebo

III. Discussion Items

1. Contract Modification from Gateway Center for the Arts (GCA) for City to Assume Responsibility for Maintaining Gateway Center's Restrooms

Mr. Parrott stated that the City received a request from Gateway Center to modify the existing contract with regards to restroom maintenance.

Sandra Wilson, 37 Keeble Avenue, explained that it was only a request for the outside restrooms, not the restrooms located inside the Gateway Center. She added that the outside restrooms serve Gateway Park.

George Coleman, 286 Deleon Road, stated that the City has given a lot to the Art League, and the City should not have to take over the restroom maintenance.

Jim Coombs, 336 Hinsdale Drive, said that they are requesting day-to-day maintenance only, and the Art League will still provide capital maintenance.

Morton Culligan, 66 Tanglewood Road, voiced his disapproval of the Center's request and urged the Council to defend the taxpayers of the City.

Cliff Rutz, 227 Caddie Court, said the park patrons use the exterior bathrooms, not the bathrooms inside of Gateway Center.

Pauline Krettler, 50 Wentwood Drive, said she is a GCA volunteer and currently cleans the restrooms because she loves the Art Center. She said the Art Center does a lot for the community, and she wants everyone to be able to enjoy it.

Rick Dwyer, 154 Hickory Stick Court, voiced his strong support for the arts but suggested that the GCA find a private cleaning company instead of asking the City to do it.

Sharon King, 60 Rosedown Boulevard, asked if the City knew what it would cost staff to provide the services being requested. Mr. Parrott responded it would be \$2,168 annually for Monday and Friday cleanings only.

Council Member Carson voiced support for the Center's request as the primary users of the restrooms are park patrons.

Council Member Koval said he wished to amend the sublease agreement to increase the rent the GCA pays to \$500 a month, and then he would consider the City taking over the maintenance of the restrooms.

Council Member Hunt said that with the limited staff DeBary has, he is reluctant to devote staff time to other tasks.

Vice Mayor Lenzen said it would be fair to honor the agreement and suggested that they investigate the usage before making any decisions.

Mayor Garcia said the Center has been a great benefit to the community, and there are other options he wishes to explore.

There was Council discussion regarding the costs that would be involved. There was consensus not to approve the request from Gateway Center for the Arts.

2. Council Direction on Small Scale Stormwater Projects

Mr. Parrott stated that the City has received storm water complaints from citizens and all of the storm water issues are localized and generally affect a single property owner. He explained the seven complaints to the Council and provided pictures of each one.

There was Council discussion regarding the seven issues raised by Mr. Parrott and direction was given on how to proceed with each one.

Items Three and Four regarding the sign ordinance and the budget process were not discussed due to the time.

IV. Adjournment

The workshop adjourned at 7:15 p.m.

**APPROVED May 4, 2011
CITY OF DeBARY
CITY COUNCIL**

Bob Garcia, Mayor

ATTEST:

Stacy Tebo, City Clerk

**City of DeBary
REGULAR CITY COUNCIL MEETING**

**Wednesday
April 20, 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 7:22 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 Kassandra Blissett, City Clerk Stacy Tebo, and City Attorney Kurt Ardaman

III. Committee Reports

None.

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

Shirley Horchler, 389 Magnolia Springs Court, asked Council Member Carson to explain his recent comments to Fox 35 regarding the proposed card room and horsetrack and said he could not be unbiased if the issue comes before Council again. She said the City should not be leasing the street lights on 17-92.

Verna Perry, 18 S. Shell Road, voiced disappointment in Council Member Carson's comments regarding DeBary Downs on Fox 35 News. She asked if anything has been filed by the attorney for DeBary Downs. Mayor Garcia answered no.

Barbara Sipler, 193 Hammock Oak Circle, thanked the Council for listening to her concerns at the previous two Council meetings.

Phyllis Butlien, 144 Verde Way, asked about the paving of Fort Florida Road. Mr. Parrott responded that it would be paved by May 6th.

V. Approval of Minutes

1. Regular City Council Meeting held April 6, 2011.

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

VI. Additions, Deletions, or Amendments to the Agenda

None.

VII. Presentations

1. Donna Williams of the Second Harvest Food Bank.

Ms. Williams shared a DVD with the Council and audience and explained the services provided by the Second Harvest Food Bank. She urged everyone to become involved in the Food for Thoughts monthly meetings.

2. Team Volusia Executive Director Helen Cauthen.

Ms. Cauthen outlined Team Volusia for the Council and explained the ways they are working to elevate the profile of Volusia County at a national level.

Ted Doran, Chair of Team Volusia, spoke about the benefits of leveraging public and private partnerships.

County Council Member Pat Northey said that Volusia County is fully committed, and they would love to have DeBary join.

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.

- *1. *Resolution #11-07 – National League of Cities Prescription Program.*

Mr. Ardaman read Resolution #11-07 aloud by title.

Council Member Koval moved to approve Resolution #11-07. Council Member Carson seconded, and the motion passed unanimously.

IX. Public Hearings

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

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

Council Member Hunt made a motion to approve Ordinance #03-11 on second and final reading. Council Member Koval seconded, and the motion passed unanimously.

X. Growth Management and Development Review

None.

XI. Old Business

None.

XII. New Business

1. Proposal from GAI Consultants, Inc. for Pre-Construction Administration Services for the No Name Lake Stormwater Outfall System Improvements.

Mr. Parrott stated that pre-construction administration services include preparation of documents and securing drainage easements from property owners for two parcels, 7 Naranja Road and 136 E. Highbanks Road; that services further include the establishment of communications and coordination with public utilities that may be affected by the project as well as administration of the public bidding process; and that services would be complete upon execution of the contract for construction.

Council Member Hunt made a motion to approve GAI Consultants, Inc. to provide the City of DeBary with pre-construction services for the No Name Lake - Outfall System Improvement Project", for an amount not to exceed \$12,600. Council Member Carson seconded, and the motion passed unanimously.

2. Ongoing Miscellaneous Stormwater Related Engineering Services from Pegasus Engineering.

Mr. Parrott stated that Pegasus Engineering has exhausted the \$50,000 awarded by City Council on July 7, 2010; that in preparation of the impending 2011 hurricane season, as well as addressing on-going drainage complaints, staff foresees a need to continue relying upon the stormwater services of Pegasus Engineering; that there is money in the budget for the item; and that the services would be performed through task orders assigned by himself.

Council Member Hunt made a motion to authorize Pegasus Engineering, LLC for continued on-going miscellaneous stormwater related engineering services, for an hourly not-to-exceed amount of \$25,000. Council Member Koval seconded, and the motion passed unanimously.

3. Task Order from Pegasus Engineering for the Design Phase of the Traffic Signal at Colomba Road and US Highway 17-92.

Ms. Blissett stated that the emergency signal project will consist of the construction of an emergency signal, mast arm in front of the fire station on US 17/92; that the design of the project will be performed under one of the continuing services contract for engineering; that the actual construction costs associated with the signal and CEI services qualify for FDOT funding up to \$190,000; and that the design of the emergency signal will be completed and approved by FDOT prior to the execution of the LAP Agreement in July.

Council Member Carson made a motion to approve the design phase of the task order submitted by Pegasus, under the continuing services contract for engineering, consisting of Tasks 1-4, not to exceed \$19,080. Vice Mayor Lenzen seconded, and the motion passed unanimously.

4. Consideration of Team Volusia Membership.

Council Member Hunt asked if Team Volusia is going to become a political arm to build private business with tax dollars. Ms. Cauthen responded that Team Volusia must operate in the Sunshine, and she will not let those things happen while she is President and CEO. County

Council Member Northey said she is sitting as a County Council Member and would not entertain anything related to subsidizing a hotel.

Council Member Koval said the Council is responsible to the citizens, and they need to be prudent with their money and build the City's reserves. He added that he held the same concerns as Council Member Hunt expressed.

Council Member Carson said he is very concerned with economic development and bringing jobs to DeBary. He stated that they need to work with each other to further economic development.

Vice Mayor Lenzen said he likes the concept of Team Volusia and the public/private partnerships, but he prefers to wait until the budget process to commit funds. He added that the Council needs to work out the details regarding what kind of economic development they wish to pursue.

Mayor Garcia asked if there is money in the budget for Team Volusia. Mr. Parrott answered that the Council has \$90,000 in their contingency budget.

Mr. Dolan stated that Team Volusia is requesting \$5,000 from DeBary, if it is in the context of a three-year commitment.

Mayor Garcia made a motion to commit to Team Volusia for three years, with a \$5,000 commitment in the current fiscal year and \$10,000 for each of the following two fiscal years. Council Member Carson seconded, and the motion passed unanimously.

XIII. Council Member/Staff Reports

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

Mayor Garcia asked the Council for support in sending a letter for the Bayou restoration to Congressman Mica. He also asked for support in sending a letter to the St. Johns River Water Management District in reference to resolving the pollution problem at Gemini Springs.

Council Member Carson stated that the Fourth of July celebration would be the first that the City is involved in and encouraged everyone to visit the City of DeBary Facebook page. He voiced support for SunRail and economic development in general.

Council Member Koval said he attended the River of Lakes Heritage Corridor meeting, and there would be a ribbon cutting ceremony in Seville in May.

Council Member Hunt agreed with Council Member Carson's comments regarding economic development. He stated that puddles in front yards are not stormwater problems, and he wants to focus on the real stormwater problems of flooded buildings and roads being washed away.

Vice Mayor Lenzen said that structural flooding has always been a top priority for the Council and agreed with Council Member Hunt's comments regarding stormwater. He expressed his condolences to DeLand City Commissioner Willie Bright's family and Orange City Council Member Don Sherill's family.

B. City Manager

Mr. Parrott had nothing to report.

C. City Attorney

Mr. Ardaman had nothing to report.

XIV. Adjournment

The meeting adjourned at 9:12 p.m.

**APPROVED May 4, 2011
CITY OF DeBARY
CITY COUNCIL
Bob Garcia, Mayor**

ATTEST:

Stacy Tebo, City Clerk