

City of DeBary
REGULAR CITY COUNCIL MEETING
Wednesday
May 4, 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, Planning Administrator Rebecca Hammock, Safety Coordinator Alan Williamson, 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 if there was a meeting scheduled Friday between the Council and Greenbridge regarding a racetrack. Mayor Garcia answered no. She stressed her desire to keep DeBary a bedroom community.

Millie Murray, 219 Valencia Road, said there is a problem with garage sale signs being left out all over the City.

V. Approval of Minutes

1. Joint Meeting of City Council and the Economic Development Advisory Committee held April 14, 2011.
2. City Council Workshop held April 20, 2011.
3. Regular City Council Meeting held April 20, 2011.

Council Member Hunt moved to approve all 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. Certificates of Recognition to Eagle Scouts Zachary Lapinski and Andrew Turner.

Mayor Garcia presented the certificates and congratulated Zachary and Andrew on their accomplishment. There was a brief PowerPoint presentation of their projects.

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 #05-11 – First Reading – Amending § 5.01 of the Charter Regarding the Qualifying Period for Candidates in all Election Years and Election Dates in Odd-Numbered Years.

Mr. Ardaman read Ordinance #05-11 aloud by title.

Ms. Tebo stated that Section 5.01(b) of the City's Charter requires that the City's general election be held 28 days prior to the first Tuesday after the first Monday in November; that such provision conflicts with general state election law requiring that overseas absentee ballots be mailed out 45 days prior to elections; that Section 5.01(a) of the City's Charter is not specific which time period established by the Florida Election Code is to be utilized in even-numbered years for the qualifying period; that Section 5.01(b) provides for a qualifying period in odd-numbered years that is logistically impossible with the first election being held September 13, 2011; and that pursuant to Florida Statutes, the City may, by ordinance and without referendum, change the date of its odd-year elections and qualifying periods to coincide with the State and County's election schedule.

Council Member Koval made a motion to approve Ordinance #05-11 on first reading. Vice Mayor Lenzen seconded, and the motion passed unanimously.

X. Growth Management and Development Review

1. Request by Missionaries of Hope for Extension of Final Site Plan Approval.

Ms. Hammock outlined the request for the Council and noted that the final site plan was approved by the Council on March 17, 2010. She stated that pursuant to the City's Land Development Code, during the period of 90 days before and 90 days after the expiration of a Development Order, the developer may request an extension from the City Council.

Council Member Koval asked the applicant, Dr. Marcello Anayas, for some background information on the project. Dr. Anayas explained his plans for a clinic to serve the underprivileged residents of West Volusia County.

Council Member Hunt asked Dr. Anayas if he expected to complete the project within the time extension. Dr. Anayas answered yes and said there is stimulus money available for his project due to health care reform.

Council Member Hunt made a motion to approve the extension request for the expiration date of the Missionaries of Hope Final Site Plan Development Order and extend it for another 360 days. Council Member Koval seconded. The motion passed unanimously.

XI. Old Business

None.

XII. New Business

1. Award of Bid #01-11 to Allstate Paving, Inc. for the Pine Valley Court Capital Improvement Drainage Project.

Mr. Parrott stated that the project is proposed to construct underground piping and drainage structures along the Pine Valley Court roadway to convey stormwater to an enlarged retention area near the cul-de-sac at the west end of Pine Valley Court; that as proposed, the high water level of the Pine Valley Court retention area will be controlled by the West Side Emergency Flood Management System pump station on DeBary Plantation Boulevard; that connection of the Pine Valley Court retention area to the West Side Emergency Flood Management System requires the Florida Department of Transportation approval to convey stormwater through the Highway 17/92 drainage system; that FDOT approval is expected prior to the start of construction; and that if approved, funding for the project will be drawn from the Stormwater Capital Improvement Fund.

Council Member Koval moved to approve award of Bid No. 01-11, the Pine Valley Court Capital Improvement Drainage Project to Allstate Paving, Inc. in the amount of \$406,326.12, plus a contingency reserve of \$20,316.00. Council Member Hunt seconded, and the motion passed unanimously.

2. Purchase of Traffic Barricades.

Mr. Williamson stated that the Council budgeted \$11,500 for a message board in the current fiscal year, and he would like to purchase traffic barricades in lieu of the one board; that they would serve a bigger benefit than one board; and that he recommends approval.

Council Member Carson made a motion for approval to purchase barricades instead of a message board, with the funding not to exceed \$11,500.00. Council Member Koval seconded, and the motion passed unanimously.

3. Appointment of City Representative to Team Volusia.

Council Member Carson made a motion to appoint Mayor Garcia. Council Member Koval seconded. The motion passed unanimously.

Council Member Hunt made a motion to appoint Council Member Carson as an alternate representative. Council Member Koval seconded, and the motion passed unanimously.

XIII. Council Member/Staff Reports

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

Mayor Garcia reported on the Mayor's roundtable meeting in Sanford he attended the previous week. He stated that he attended the Team Volusia meeting, and 51% of the funding is coming from the private sector. He said that SunRail is still on the Governor's desk awaiting a decision. He encouraged the citizens to pick up their prescription discount cards.

Council Member Carson voiced his interest in pursuing partnerships with local businesses. He said he expects a huge crowd for the Fourth of July Celebration.

Council Member Koval reported that two State representatives, Dorothy Hukill and Larry Metz, responded to his letter regarding libraries and expressed their own concerns with maintaining library funding. He stated that he attended the SunRail TAC (Technical Advisory Committee) meeting. He thanked DeBary Elementary Principal Teresa Marcks, School Board Member Diane Smith, County Council Member Pat Northy, and Shannon VanDeHey of PNC Bank for their work to bring the banking program to DeBary Elementary beginning in the next school year.

Council Member Hunt recognized the Boy Scouts attending the Council meeting and noted less than five percent of boys that start the program actually achieve the Eagle Scout rank. He said he met with Larry Metz and Alan Hayes the previous week while he was in Tallahassee, and he was very pleased there would be less cuts than anticipated.

Vice Mayor Lenzen reported that there was discussion at the Volusia TPO meeting about the depletion of money in the transportation trust fund. He asked the Council to consider returning to one meeting per month. He congratulated the Eagle Scouts, Andrew Turner and Zachary Lapinski.

- B. City Manager

Mr. Parrott suggested a budget workshop prior to the June 1st meeting.

- C. City Attorney

Mr. Ardaman had nothing to report.

XIV. Adjournment

The meeting adjourned at 8:14 p.m.

**APPROVED May 18, 2011
CITY OF DeBARY
CITY COUNCIL**

Bob Garcia, Mayor

ATTEST:

Stacy Tebo, City Clerk