

City of DeBary
REGULAR CITY COUNCIL MEETING

Wednesday

November 7, 2012

7 PM

City Council Chamber

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 Chris Carson, Council Member Lita Handy-Peters, 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, 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.

The following citizens addressed the Council: Morton Culligan, Norm Erickson, Lenny Marks, Millie Murray, and Mary Ann Bardon.

V. Approval of Minutes

1. Regular City Council Meeting held October 3, 2012.

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

VI. Additions, Deletions, or Amendments to the Agenda

Council Member Handy-Peters requested the addition of an item regarding City Charter Review of Sections 1.02, 4.02, 4.05 & 4.07 under New Business.

Council Member Hunt requested the addition of Ordinance #07-12 – First Reading of the Backyard Chicken Pilot Program under Growth Management and Development Review.

Council Member Koval moved to remove Item #1 from Growth Management and Development Review in light of the addition of Ordinance #07-12 to the agenda. Council Member Handy-Peters seconded the motion. The motion passed 4-1, with Mayor Garcia dissenting.

VII. Presentations

1. Introduction of Artist Bryan Carson.

VIII. Consent Agenda

None.

IX. Public Hearings

None.

X. Growth Management and Development Review

1. "Mayor's Formal request on behalf of JJ Hart, Mrs. Hart, Family and Mr. Mark Nation (Attorney) " Subject- Request for Special Exception for JJ Hart under Land Development Code.

This item was removed from the agenda.

2. Ordinance #07-12 – First Reading – Backyard Chicken Pilot Program.

Mr. Ardaman read Ordinance #07-12 aloud by title.

Council Member Hunt moved to approve Ordinance #07-12 on first reading. Council Member Koval seconded, and the motion passed unanimously.

There was a fifteen-minute break.

3. Final Site Plan Application for the Family Dollar Located at the Southwest Corner of US Highway 17-92 and Hibiscus Drive.

Council Member Handy-Peters moved to approve the development order for the Family Dollar final site plan with the effective date of November 18, 2012. Council Member Koval seconded, and the motion passed unanimously.

4. Preliminary Plat/Construction Plan for Saxon Cove Subdivision Located at the Southeast Corner of Saxon Boulevard and US Highway 17-92.

Council Member Hunt made a motion to approve the Preliminary Plat/Construction Plan for Saxon Cove subject to staff receiving copies of all required agency permits. Vice Mayor Carson seconded, and the motion passed unanimously.

XI. Old Business

None.

XII. New Business

1. Bank RFP for Refinancing of the Stormwater Utility Assessment Revenue Note.

Council Member Koval moved to authorize the financial advisor to distribute the Bank RFP (Request for Proposal). Council Member Handy-Peters seconded. The motion passed unanimously.

2. City Charter Review of Sections 1.02, 4.02, 4.05 & 4.07.

Council Member Hunt moved that the Council declare Mayor Garcia officially censured. Vice Mayor Carson seconded. The motion passed 4-1, with Mayor Garcia dissenting.

Council Member Hunt moved to direct Mr. Parrott to investigate Mayor Garcia's expense reports. Council Member Koval seconded. The motion passed 4-1, with Mayor Garcia dissenting.

Council Member Hunt moved that all future absences from regularly scheduled Council meetings shall be determined as excused or unexcused by majority vote of the attending members at said meeting. Council Member Handy-Peters seconded. The motion passed 3-2, with Mayor Garcia and Vice Mayor Carson dissenting.

Council Member Handy-Peters moved that staff be directed to draft a mileage reimbursement policy for the next meeting; that an agenda item be prepared for the next meeting to review the placement of City related magnets and decals with the requirement for insurance to be consistent with what is required of consultants with the City of DeBary listed as additional insured; and that staff be directed to draft a policy for excusing absences at the next meeting. Council Member Koval seconded. The motion passed 4-1, with Mayor Garcia dissenting.

XIII. Council Member/Staff Reports

1. Committee Appointments

Charter Review Commission

Regular Member

Council Member Handy-Peters

Council Member Handy-Peters nominated Mike Brady.

Planning & Zoning Commission

Regular Member

Vice Mayor Carson

Regular Member

Council Member Koval

Vice Mayor Carson nominated Clint Johnson. Council Member Koval nominated Fred Beiser.

Council Member Hunt moved to approve Mike Brady, Clint Johnson and Fred Beiser. Council Member Handy-Peters seconded. The motion passed unanimously.

2. Member Reports/Communications

A. Mayor and Council Members

B. City Manager

C. City Attorney

Council Member Hunt moved to excuse Mayor Garcia's absence from the December 5th Council meeting. Council Member Handy-Peters seconded. The motion passed unanimously.

XIV. Adjournment

The meeting adjourned at 9:30 p.m.

**APPROVED December 5, 2012
CITY OF DeBARY
CITY COUNCIL**

Bob Garcia, Mayor

ATTEST:

Stacy Tebo, City Clerk