

**City of DeBary**  
**REGULAR CITY COUNCIL MEETING**

**Wednesday**

**May 1, 2013**

**7 PM**

City Council Chamber

16 Colomba Road

DeBary, Florida 32713

**MINUTES**

**I. Call To Order**

Mayor Garcia called the meeting to order at 7:00 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 Kassandra Blissett, City Clerk Stacy Tebo, Planning Administrator Rebecca Hammock, and City Attorney Kurt Ardaman

**III. Council Member Absences**

1. Mayor Garcia – April 17<sup>th</sup> workshop.

**IV. Committee Reports**

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

Van Conoley addressed the Council.

**VI. Approval of Minutes**

1. Regular City Council Meeting held April 3, 2013.
2. City Council Workshop held April 17, 2013.

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

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

None.

**VIII. Presentations**

1. Annual Independent Audit for FY 2011/2012 – Alex Kish, CPA.
2. Comprehensive Emergency Management Plan by Safety Coordinator Alan Williamson.

**IX. Consent Agenda**

None.

## **X. Public Hearings**

1. Ordinance #02-13 – First Reading – Amending the Land Development Code to Delete Language Restricting the Number of Horses Per Acre in the A-2, A-3, RR, and RA Zoning Districts.

Mr. Ardaman read Ordinance #02-13 aloud by title.

Council Member Hunt moved to adopt Ordinance #02-13 on first reading. Council Member Koval seconded, and the motion passed unanimously.

2. Ordinance #04-13 – First Reading – Amending the Streetscape Advisory Committee Duties.

Mr. Ardaman read Ordinance #04-13 aloud by title.

Council Member Koval moved to adopt Ordinance #04-13 on first reading. Council Member Handy-Peters seconded, and the motion passed unanimously.

3. Request for Appeal to Dangerous Dog Designation Hearing Requested by Ms. Cheryl Hunter at 243 Deleon Road. (Council Members should disclose any ex-parte communication that has occurred before or during the public hearing. This is a quasi-judicial proceeding conducted in accordance with Resolution #10-19.)

Council Member Hunt moved to uphold Volusia County Animal Control's initial determination that Cheryl Hunter's dog "Missy" is dangerous. Council Member Koval seconded, and the motion passed unanimously.

4. Request by Dollar General Store for Three Variances to the Land Development Code. (Council Members should disclose any ex-parte communication that has occurred before or during the public hearing. This is a quasi-judicial proceeding conducted in accordance with Resolution #10-19.)

Council Member Hunt made a motion to find that the request is in compliance with Section 1-8 Variances of the LDC and uphold the Planning & Zoning Commission recommendation of approval of the three (3) variances as requested to Sections 3-104(d)(2), Section 5-124 and Section 4-88(a)(2) of the City of DeBary Land Development Code. Vice Mayor Carson seconded. The motion passed unanimously.

Mayor Garcia requested a motion to extend the meeting past 11:00 p.m. Council Member Koval moved to extend the meeting to 11:30 p.m. Vice Mayor Carson seconded, and the motion passed unanimously.

## **XI. Growth Management and Development Review**

1. Final Site Plan Application for the Dollar General Store.

Council Member Koval moved to approve the development order for the Dollar General final site plan with the channel lettering instead of the box sign on the building. Council Member Handy-Peters seconded, and the motion passed unanimously.

**XII. Old Business**

None.

**XIII. New Business**

- 1. Approval of Supplemental LAP Agreement with FDOT for Naranja Sidewalk Construction.

Council Member Handy-Peters moved to enter into the LAP supplemental agreement with FDOT for reduced construction funding to match the low bid award for the construction of the Naranja sidewalk project. Council Member Koval seconded, and the motion passed unanimously.

- 2. Award of Bid #04-13(a) for the West Highbanks Sidewalk Project.

Council Member Koval moved to award the contract for construction of Bid No. 04-13(a), the W. Highbanks Sidewalk project, to Built-Rite Construction for the amount of \$102,761.50. Vice Mayor Carson seconded, and the motion passed unanimously.

- 3. Award of Bid #05-13 for the 2013 Street Resurfacing Project.

Council Member Koval moved to award the contract for construction of Bid No. 05-13, the 2013 Street Resurfacing Program to Ranger Construction Industries, Inc. for the amount of \$451,026.35 with a contingency reserve of \$22,551.32 for a total budget amount of \$473,577.67. Council Member Handy-Peters seconded, and the motion passed unanimously.

**XIV. Council Member/Staff Reports**

- 1. Board/Committee Appointments
  - Public Safety Advisory Committee
  - Regular Member Council Member Handy-Peters

Council Member Handy-Peters moved to appoint David Butlien. Council Member Hunt seconded, and the motion passed unanimously.

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

**XV. Date of Upcoming Meeting and/or Workshop**

- 1. City Council Workshop May 15, 2013.
- 2. Regular City Council Meeting June 5, 2013.

**XVI. Adjournment**

The meeting adjourned at 11:28 p.m.

**APPROVED June 5, 2013  
CITY OF DeBARY  
CITY COUNCIL**

**Bob Garcia, Mayor**

**ATTEST:**

**Stacy Tebo, City Clerk**