

City of DeBary
CITY COUNCIL PUBLIC MEETING AND ATTORNEY/CLIENT EXECUTIVE
SESSION AND REGULAR CITY COUNCIL MEETING

Wednesday

June 3, 2015

7 PM

City Council Chambers

16 Colomba Road

DeBary, Florida 32713

MINUTES

Mayor Clint Johnson called the public meeting to order at 7:02 PM. The following members were present on roll call: Mayor Johnson, Vice Mayor Handy-Peters, Council Members, Brady, and Dwyer. Also in attendance were City Manager Dan Parrott, City Attorney's Kurt Ardaman, Richard Geller and Michael Bowling, and Court Reporter **Mary Dobson**.

City Attorney, Kurt Ardaman, advised the City Council that he would like to discuss strategy and settlement negotiations related to litigation expenditures concerning the litigation of:

Case No: 6:15 –CV-35-Orl-37TBS, Skyway Towers, LLC v. City of DeBary

Mayor Johnson estimated that the attorney-client session would last approximately thirty minutes, with the following people in attendance:

Mayor Johnson, Vice Mayor Handy-Peters, Council Members, Brady and Dwyer. City Manager Dan Parrott, City Attorneys Kurt Ardaman, Richard Geller and Michael Bowling, and Court Reporter **Mary Dobson**.

Mayor Johnson announced the commencement of the attorney-client session at the public meeting in accordance with Section 286.011, Florida Statutes at 6:20 PM and the Council adjourned to the 2nd floor conference room..

The attorney-client session concluded at 7:35, and Mayor Johnson reopened the public meeting for the purpose of terminating the attorney-client session on Case No: 6:15-CV-35-Orl-37TBS and other public matters.

I. Regular Meeting Call to Order

Mayor Johnson called the public meeting to order at 7:36 p.m.

II. Members Present: Mayor Clint Johnson, Vice Mayor Lita Handy-Peters, Council Member Mike Brady, and Council Member Rick Dwyer. Council Member Carson was absent.

Others Present: City Manager Dan Parrott, Planning Administrator Matt Boerger, Public Works Administrator Alan Williamson, TOD Marketing Director Roger Van Auker and City Attorney Kurt Ardaman.

III. Committee Reports

None.

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

Morton Culligan, Robert Knott and George Coleman addressed the Council.

V. Approval of Minutes

1. Regular City Council Meeting held May 6, 2015.
2. City Council Workshop held May 20, 2015.

Councilmember Dwyer moved to approve the May 6th and May 20th minutes. Councilmember Brady seconded the motion and the motion passed 4-0.

VI. Additions, Deletions, or Amendments to the Agenda

None

VII. Presentations

None

VIII. Consent Agenda

None

IX. Public Hearings

1. Special Exception Case#15-04-SE-Perezalonso Request to Allow a Garage Apartment for Family Members of the Occupants of the Primary Residential Structure at 104 Rosemont Court.

Matt Boerger introduced the item to Council. Councilmember Dwyer motioned to approve the special exception. Councilmember Brady seconded the motion and the motion passed 4-0.

2. Special Exception Case# 15-02-SE-FLATOWER. Request to permit a 180' tall Flush Mounted Monopole Cell Tower at the SE corner of West Highbanks Road and Ft. Florida Road.

Laura Lee, John Wattick, Sid Vehlen, Damon Chase, Cathy Allen, Darren Ferrato, Lori Sisk, Tom Mangum, Greg Wheatley, Sophis Pickett and Danny Allen addressed the Council. Council Member Dwyer motioned to approve Special Exception Request. Council Member Brady seconded the motion, passed 3-1, Mayor Johnson opposed.

3. Resolution #15-07 Adopting Non-Ad Valorem Assessment Roll for Stormwater Utility Service.

Council Member Dwyer motioned to approve Resolution #15-07. Council Member Brady seconded the motion and the motion passed 4-0.

X. Growth Management and Development Review

1. Riverbend Overall Development Plan Extension Request.

Matt Boerger introduced the item to Council. Councilmember Dwyer motioned to approve the special exception. Councilmember Brady seconded the motion and the

motion passed 4-0.

2. Riverera Bella Unit 3 Final Plat Approval Request.

Matt Boerger introduced the item to Council. Councilmember Brady motioned to approve the special exception. Vice Mayor Handy-Peters seconded the motion and the motion passed 4-0.

XI. Old Business

None

XII. New Business

1. UHS Stadium Committee Request for Funding.

Rich Gailey addressed the Council.

Mayor Johnson made a motion to give \$5,000.00 to the committee when and if they were able to obtain an additional \$10,000.00 in funding from other sources. Vice Mayor Handy-Peters seconded the motion and the motion passed 4-0.

2. Central 28 Beer Company Job Growth Incentive Agreement.

Roger Van Auker, TOD Director addressed the Council.

Councilmember Brady motioned to approve the Job Growth Incentive Agreement. Vice Mayor Handy-Peters seconded the motion and the motion passed 4-0.

3. Approve Task Order 2014-4 with CPH, Inc.

City Manager Dan Parrott addressed the Council.

Council Member Brady seconded the motion to approve Task Order 2014-4 the motion and the motion passed 4-0.

4. Approval of FDOT Traffic Signal Maintenance and Compensation Agreement.

Alan Williamson addressed the Council. Council Member Brady made the motion to the Agreement. Council Member Dwyer seconded the motion and the motion passed 4-0.

5. Approve Agreement for CEI Services based on RFQ's.

City Manager Dan Parrott addressed the Council.

Vice Mayor Handy-Peters made the motion to Approve Agreement for CEI Services. Council Member Brady seconded the motion and the motion was approved 4-0.

6. TOD Marketing Director Update.

Roger Van Auker addressed the Council with his updated status and activities for the previous month.

XIII. Council Member/Staff Reports

1. Board/Committee Appointments

Volusia County Growth Management Commission – Sid Vihlen was re-appointed for a four year term beginning July 1, 2015.

XIV. Date of Upcoming Meeting and/or Workshop

1. June 17, 2015 at 6pm Council Workshop
2. July 1, 2015 at 7pm Regular City Council Meeting

XV. Adjournment

Mayor Johnson adjourned the meeting at 9:40pm.

**APPROVED
CITY OF DEBARY
CITY COUNCIL**

ATTEST:

Clint Johnson, Mayor

Dan Parrott, City Manager/City Clerk