

City of DeBary
REGULAR CITY COUNCIL MEETING
Wednesday
November 4, 2015
7 PM
City Council Chambers
16 Colomba Road
DeBary, Florida 32713

Artist Reception and Presentation at 6:00P. M.

Art in Public Places artists were introduced, Sandy Smith, Diane Klements and Linda Weiler

I. Call to Order

Mayor Johnson called the public meeting to order at 7:00 PM

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

Others Present: City Manager Dan Parrott, Planning Administrator Matt Boerger, TOD Marketing Director Roger Van Auker and City Attorney Kurt Ardaman, IT Director Eric Frankton and Assistant to the City Clerk Warren Graham.

III. Committee Reports

None

Before public participation Rick Dwyer, accompanied by Sandra Hill and Lynda Hammond presented a musical and slide show tribute to the Nation's Military in honor of Veterans Day.

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

Jean Lord, Steven Bacon, Joan Sandler, Phyllis Butlien, Margarita Cotle, Millie Murry, Mort Culligan, and Howard Gates addressed the Council.

V. Approval of Minutes

1. Regular City Council Meeting October 7, 2015.
2. City Council Workshop October 21, 2015.

Mayor Johnson called for approval.

VI. Additions, Deletions, or Amendments to the Agenda

VII. Consent Agenda

VIII. Public Hearings

1. Second Reading and Adoption Ordinance # 03-15 An Ordinance Rescinding Ordinance # 94-32, Ordinance # 05-00 and Ordinance # 11-04.

Mayor Johnson made the motion to adopt Ordinance No. 03-15. Council Member Brady seconded the motion, motion approved 4-0.

2. First Reading Ordinance # 04-15 and Ordinance Rescinding Ordinance # 05-12.

Howard gates addressed the Council.

Council Member Brady made the motion to approve Ordinance No. 04-15. Council Member Handy-Peters seconded the motion. The motion was approved 4-0.

3. First Reading of Ordinance # 05-15 Amending Section 30-36 of the City of DeBary Code of Ordinances Concerning Nuisance Lighting.

Serena Coudegro, Robert Knott and Patricia Stevenson addressed the Council.

Mayor Johnson made the motion to approve Ordinance No. 05-15, Council Member Brady seconded the motion, motion approved 4-0.

X. Growth Management and Development Review

None

X. Old Business

None

XI. New Business

1. Approve purchase of property within the TOD.

Howard gates addressed the Council.

Council Member Dwyer made the motion to approve the purchase of property within the TOD, Council Member Handy-Peters seconded the motion.

Council Member Dwyer made a motion to amend the main motion to include a clause to extend the feasible study time as approved by the City Manager, Council Member Handy-Peters seconded the motion, motion approved 3-1, Mayor Johnson voting No.

The main amended motion was approved 3-1, Mayor Johnson voting No.

2. Resolution #15-19 Budget Amendment FY 2014-2015.

Mayor Johnson made the motion to approve Resolution #15-19, amending FY 2014-2015 Budget, Council Member Dwyer seconded the motion, motion approved 4-0.

3. Resolution #15-20 Adopting New Rules for Conducting Council Meetings and Workshops and Providing for Public Participation.

Allan Gochal, Howard Gates, Mort Culligan and Rebecca Swanson addressed the Council.

Council Member Brady made a motion to approve Resolution #15-20 Adopting New Rules for Conducting Council Meetings and Workshops and Providing for Public Participation with changing the wording in Section 6, first paragraph from 'public hearings and public workshops' to public hearings, meetings and workshops' as suggested by City Attorney. Vice-Mayor Handy-Peters seconded the motion.

Council Member Dwyer made a motion to change Section 5, Agenda to move the Public Participation / Comment for City Issues Not on the Agenda after Committee Reports. Council Member Brady seconded the motion, motion approved 4-0.

Vice-Mayor Handy-Peters made a motion to change Section 3 to require a roll call vote. Council Member Dwyer seconded the motion, motion approved 3-1, Mayor Johnson voting No.

Vice-Mayor Handy-Peters made a motion to include an Invocation and Flag Salute under Call to Order. Council Member Brady seconded the motion, motion approved 4-0.

The original motion with the above changes was approved 3-0, Mayor Johnson voting No.

4. Resolution 15-21 Adopting New Rules and Procedures for Conducting Quasi Judicial Hearings.

Council Member Brady made a motion to approve Resolution 15-21 Adopting New Rules and Procedures for Conducting Quasi Judicial Hearings. The motion was seconded by Council Member Dwyer.

Council Member Dwyer made a motion to amend Resolution 15-21, Section 2, Order of Business item 4 to eliminate the 10 minutes allotted statement. Council Member Brady seconded the motion, motion passed 4-0.

The amended motion on the floor was approved 4-0.

5. Approve Engagement Letter with Cobb Cole to Develop TOD Funding Mechanisms.

Mayor Johnson made a motion to Approve Engagement Letter with Cobb Cole to Develop TOD Funding Mechanisms. Council Member Brady seconded the motion.

Vice-Mayor Handy-Peters made a motion to amend the original motion to limit the amount of expenditure to \$30,000. Council Member Brady seconded the motion to amend, motion approved 4-0.

The amended motion was approved 4-0.

6. Award Bid for Ft. Florida Water Line Extension.

Mayor Johnson made a motion to Award Bid for the Ft. Florida Water Line Extension to McMahan Construction in the amount of \$542,838. Council Member Brady seconded the motion, motion approved 4-0.

XII. Council Member/Staff Reports

1. Board/Committee Appointments

None

2. Member Report/Communications

A. Mayor and Council Members

Mayor Johnson made a motion to assign a title to each council member instead of the current seat numbers. Council Member Dwyer seconded the motion, the motion was not approved by vote, 2-2. Vice Mayor Handy-Peters and Council Member Brady voting No.

B. City Manager

C. City Attorney

XIII. Date of Upcoming Meeting and/or Workshop

1. November 18, 2015 Council Workshop (Maybe called as a Special Meeting)

2. December 2, 2015 Regular Council Meeting

XIV. Adjournment

Mayor Johnson adjourned the meeting at 9:33PM.

**APPROVED
CITY OF DEBARY
CITY COUNCIL**

ATTEST:

Clint Johnson, Mayor

Dan Parrott, City Manager/City Clerk