

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

**Wednesday**

**April 6, 2016**

**7 PM**

City Council Chambers

16 Colomba Road

DeBary, Florida 32713

**I. Regular Meeting Call to Order**

Mayor Johnson called the public meeting to order at 7:02 PM

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

**Others Present:** City Manager Dan Parrott, Planning Administrator Matt Boerger, TOD Marketing Director Roger Van Auker, City Attorney Kurt Ardaman, IT Director Eric Frankton, Finance Director Elizabeth Bauer, Public Works Director Alan Williamson and Assistant to City Clerk Warren Graham.

**III. Committee Reports**

None.

**IV. Public Participation for Any Issue Not on the Agenda-** Citizen comments are limited to three minutes per speaker.

Jerry Benedict, Bill Cummings, David Martin, Bill Mares, Danny Allen, David Butlien, Mort Culligan, Norm Erickson, Nick Koval, and Lavra Wasden addressed the Council.

**V. Approval of Minutes**

1. Regular City Council Meeting March 2, 2016

Mayor declared that the minutes were approved with no exceptions.

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

None

**VII. Presentations**

1. Alex Kish, BMC CPA's, Inc. FY 2015 Financial Audit Presentation.

**VIII. Consent Agenda**

1. Acceptance of FY 2015 Financial Audit Report

2. Resolution 16-04, Declaring April as Florida's Water Conservation Month.

Mayor Johnson made a motion to approve the Citems on the Consent Agenda. Council

Member Brady seconded the motion, motion approved 5-0.

## **IX. Public Hearings**

None

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

1. Approval of Joint Participation Agreement (JPA) with FDOT for Design and Construction of SunRail to Coast to Coast Bike Trail.

Jerry Benedict addressed the Council.

Mayor Johnson made the motion to approve the Joint Participation Agreement (JPA) with FDOT for Design and Construction of SunRail to Coast to Coast Bike Trail. Council

Member Carson seconded the motion, motion approved 5-0.

## **XI. Old Business**

None

## **XII. New Business**

1. Staff Report to Council on Council Directed Review to Determine If Current Public Records Request Has Been Properly Responded to and What Actions Need to be Taken to Resolve the Public Records Requests.

Joe Rea, Paula Abramson, Mark Sandler, Laura Spinoso and Jerry Benedict addressed the Council.

Council Member Brady made a motion to file an ethics complaint against Mayor Johnson with the Florida Ethics Commission, Mr. Parrott should be the point person to prepare the complaint. Mayor Johnson seconded the motion.

Council Member Dwyer moved to amend the motion to include a law suit for the public records. Council Member Brady seconded the motion.

Council Member Brady made a motion to table the above motion and amendment until a certain date and time. Council Member Carson seconded the motion, motion approved 4-1, Council Member Dwyer voting No.

There was further discussion to have a public meeting, properly advertised, with Mayor Johnson, Attorney Ardaman, City Manager and all Council Members present to discuss and look at the documents requested. The date and time for the meeting is scheduled for May 11, 2016, at 6 P. M.

2. Approve Bid For Construction of Fire Station.

Alan Crawford, Nick Koval and Jerry Benedict addressed the Council.

Council Member Dwyer made a motion to approve the bid #02-16 for construction of the fire station #33 from Sherer Construction in the amount of \$1,754,996.00 plus the alternate bid #2 in the amount of \$14,591.00. Council Member Carson seconded the motion, motion approved 5-0.

3. Approve Financing Proposal for Construction of Fire Station.

Nick Koval addressed the Council.

Council Member Carson made a motion to Approve Resolution 16-05 Authorizing Loan Agreement with Whitney Bank D/B/A Hancock Bank in an amount not to exceed \$2,250,000. Council Member Brady seconded the motion, motion approved 5-0.

4. Pegasus Engineering Supplemental Environmental Services TOD

Mort Culligan addressed the Council.

Mayor Johnson made a motion to approve Pegasus Engineering Proposal for Supplemental Environmental Services for the TOD. Council Member Carson seconded the motion, motion approved 5-0.

5. Economic Opportunity Fund Incentive Payment to DBK, Inc.

Mayor Johnson made a motion to pay the Economic Opportunity Fund Incentive Payment to DBK, Inc. in the amount of \$5,000.00. Council Member Bardy seconded the motion, the motion approved 5-0.

6. Discussion of Special Events

Mort Culligan, Phyllis Butlien and Ericka Benfield addressed the Council.

The City co-sponsors certain events and manages and promotes others. In order to keep the Council up to date on these activities staff has developed the attached listing of events. This agenda item is meant to allow the Council to provide direction to staff on the city's involvement with events or guidelines the Council would like to implement on the city's future involvement with events.

Representatives from the University High School Jazz Band came before the Council to request a donation in the amount of \$5,000.00 to assist their endeavor for a school trip. Council Member Dwyer made a motion to donate up to \$3,000.00 to the University High School Jazz Band to match the City of Orange City's donation. Vice-Mayor Handy-Peters seconded the motion, motion approved 3-2, Mayor Johnson and Council Member Brady voting No.

Mayor Johnson made a motion for a moratorium on all future charitable donations until a policy can be developed. Council Member Dwyer seconded the motion, motion approved 5-0.

**XIII. Council Member/Staff Reports**

1. Member Reports/Communications

- A. Mayor and Council Members
- B. City Manager
- C. City Attorney

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

- 1. City Council Workshop April 20, 2016

2. City Council Regular Meeting May 4, 2016

**XV. Adjournment**

Mayor Johnson adjourned the meeting at 10:44PM.

**APPROVED  
CITY OF DEBARY  
CITY COUNCIL**

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**Clint Johnson, Mayor**

**ATTEST:**

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**Dan Parrott, City Manager/City Clerk**