

City of DeBary
REGULAR CITY COUNCIL MEETING
Wednesday
September 6, 2017
7 PM
City Council Chambers
16 Colomba Road, DeBary, Florida 32713

MINUTES

I. Call To Order Meeting Called to Order 7 PM

1. Invocation
2. Flag Salute
3. The National Anthem was sung by Adonai Crespo

II. Roll Call

Mayor Garcia, Vice Mayor Handy-Peters, Council Members Bacon, Brady and Benfield are present.

Others present: Interim Manager Ron McLemore, City Attorney Kurt Ardaman, Public Works Director Alan Williamson, Parks Director John Fletcher, Matt Boerger Growth Management Director, Eric Frankton IT Director, Liz Bauer, Roger Van Auker TOD Director and Warren Graham City Clerk.

III. Committee Reports

1. Update on the Volusia County Growth Management Commission by Sid Vihlen.

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

Mort Culligan, George Coleman, Marty Atwater, Christopher Blake, Chris Bove, Jason Clisby, Alyssa Streller and Rick McBride addressed the Council.

V. Approval of Minutes

1. Regular City Council Meeting, August 2, 2017
 2. City Council Workshop, August 9, 2017
 3. Special City Council Meeting, August 9, 2017
 4. City Council Workshop, August 30, 2017
- Council Member Benfield made a motion to approve the minutes as written. Vice Mayor Handy-Peters seconded the motion, motion

approved 5-0.

VI. Additions, Deletions or Amendments to the Agenda

Under Presentations, add Storm water pipe under Highbanks at Donald E Smith by Alan Williamson.

Under Presentations, add Hurricane Irma update by Alan Williamson.

Under New Business, add Resolution 17-20, Declaration of State of Emergency.

Under New Business, add Resolution 17-21, Authority to Remove Storm Debris from Gated Communities.

Under New Business, Remove Item #1, Discussion of Car/Cruise Show delay for a future Council Meeting.

Council Member Bacon wished to add three items to the agenda, weather radios, storm shelters and safety issues. The Mayor suggested discussing these issues up during Council Member/Staff Reports.

Council Member Benfield wished to discuss CERT. The Mayor suggested discussing these issues up during Council Member/Staff Reports.

VII. Presentations

1. Proclamation declaring September 17 through 23 as Constitution Week.

2. Alan Williamson gave the Council an update on the Force Main repair on Highbanks Road.

3. Alan Williamson gave the Council an update on Hurricane Irma.

VIII. Consent Agenda

1. Disposal of old fire station surplus equipment (3 ton heat pump for HVAC and 75 KW Olympian diesel fuel generator.

2. Public Work Surplus Equipment, Vermeer 625 Chipper.

3. Award Bid # 06-17, Ball Field Clay and Top Dressing Sand to Golf Specialties, Inc.

4. General Stormwater Engineering Services, Pegasus Engineering Task Order 2015-18.

5. 25 Naranja Road and 27 Alicante Road Drainage Improvements, Pegasus Engineering, Task Order 2015-17.

6. Sheriff Interlocal Agreement.

7. Upgrade the City's telephone system to Voice Over Internet Protocol (VOIP) one time cost for equipment \$7,639.26. The City would no longer pay long distance telephone call for a savings of approximately \$300.00 per month.

8. Award Bid 4-17, City Hall Door Access Control to Straight Line Communications in the amount of \$15,650.00.

Council Member Brady made a motion to approve the consent agenda as presented. Vice Mayor Handy-Peters seconded the motion. The motion was approved 4-1, Council Member Bacon voting No.

IX. Public Hearings

1. Resolution No. 17-17, Tentative Millage Rate.

Council Member Brady made a motion to approve the Tentative Millage Rate at 2.9247 for the fiscal year 2017-2018. Vive Mayor Handy-Peters seconded the motion, motion approved 5-0.

2. Resolution No. 17-18, Tentative Budget Fiscal Year 2017-2018.

Vice Mayor Handy-Peters made the motion to approve the Tentative Budget as read plus motion to included \$35,000.00 in Growth Management and the remainder of the excess in reserves. Council Member Benfield seconded the motion; motion was approved 5-0.

3. Hawthorne Landing Overall Development Plan, Development Agreement (Case #17-01-OPD-Hawthorne) - Continued to September 20, 2017 Special City Council Meeting.
4. Canterwood Assisted Living Facility Future Land Use Amendment, Ordinance 09-17 (Case #1703-CPA-Canterwood) - Continued to October 4, 2017 City Council Meeting.
5. Canterwood Assisted Living Facility Planned Unit Development (PUD) Amendment, Ordinance 10-17 (Case #17-03-PUD-Canterwood) - Continued to October 4, 2017 City Council Meeting.
6. First reading of Sign Code Ordinance 12-17. Extending the grace period for non-conforming signs within the City's Gateway Corridor to come into compliance with the City Sign Code from September 30, 2017 to September 30, 2018; and to continue the City's Sign Beautification Grant program with a maximum City match of 35% or up to \$1,500.00.

Council Member Brady made the motion to approve Ordinance 12-17, the City's Sign Code Ordinance. Council Member Benfield seconded the motion, motion approved 5-0.

X. Growth Management and Development Review

1. None

XI. Old Business

1. None

XII. New Business

1. Discussion of Car/Cruise Show.

This item was removed from the agenda to be brought back up at a later Council meeting.

2. Resolution 17-19, Council made a request of Legal Counsel to prepare a Resolution to urge legislation amending current animal cruelty laws to impose stricter and harsher punishment and penalties for acts of animal cruelty. The City of DeBary urges the members of the Florida Legislature to consider amending the penalty listed in F.S 828.2(2) for commission of aggravated animal cruelty from a third-degree felony to a second degree felony.

Vice Mayor Handy-Peters made the motion to approve Resolution No. 17-19. Council Member Bacon seconded the motion, motion approved 5-0.

3. Added item, Resolution No. 17-20, Declaration of Emergency due to Hurricane Irma.

Council Member Brady made the motion to approve Resolution No. 17-20. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

4. Added item, Resolution No. 17-21, Remove of storm debris from gated communities.

Council Member Brady made the motion to approve Resolution No. 17-21. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

XIII. Informational Items

1. West Highbanks Rail Road Crossing Funding, by Alan Williamson.

XIII. Council Member/Staff Reports

1. Board/Committee Appointments

2. Member Reports/Communications

A. Mayor and Council Members

B. City Manager

C. City Attorney

Discussion by Mr. Ardaman of the Draft Resolution for the OCCOM Communications Bill to be sent to the State Legislature.

The consensus of the Council was to schedule a workshop to discuss the Home Rule Issue further.

XIV. Date of Upcoming Meeting and/or Workshop

1. City Council Workshop, Wednesday, September 13, 2017.
2. Special City Council Meeting, Wednesday, September 20, 2017
3. Regular City Council Meeting, Wednesday, October 4, 2017

XV. Adjournment 10:29PM

**CITY COUNCIL
CITY OF DEBARY, FLORIDA**

Bob Garcia, Mayor

ATTEST:

Warren Graham, City Clerk