

City of DeBary
REGULAR CITY COUNCIL MEETING
Wednesday
March 7, 2018
7 PM
City Council Chambers
16 Colomba Road, DeBary, Florida 32713

MINUTES

I. Call To Order Meeting Called to Order at 7 PM

1. Invocation
2. Flag Salute

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, Finance Director Liz Bauer, TOD Director Roger Van Auker and Warren Graham City Clerk.

Kevin Hare, Construction Engineer and Jeremiah Owens, CPH Engineers

III. Committee Reports

1. Volusia Growth Management Committee (VGMC) update by Sid Vihlen, Jr.

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

Dennis Wozniak and Mort Culligan addressed the Council.

V. Approval of Minutes

1. Regular City Council Meeting, February 7, 2018
2. Special City Council Meeting, February 28, 2018

Vice Mayor Handy-Peters made a motion to approve the minutes, as amended to add that staff would look into the possibility of changing the speed limit on West Highbanks Road. Council Member Benfield seconded the motion, motion approved 5-0.

VI. Additions, Deletions or Amendments to the Agenda

City Attorney Ardaman suggested to table under New Business, Item No.4, Discussion of the Fireman’s Association proposed lot-split. Mayor Garcia wants to add an item in Informational Item – Discussion of City’s Web Site.
Mayor Garcia wants to add an item in Informational Items – Discussion of free newspaper delivery.

VII. Presentations

1. None

VIII. Consent Agenda

1. Approve disposal of asset # 284 Ford F-150 to be used as trade-in for new truck for the Parks Department. Approval for purchase of new truck was done at the January 17, 2018 Special City Council Meeting. Council Member Brady made a motion to approve the item in the Consent Agenda. Council Member Benfield seconded the motion, motion approved 5-0.

IX. Public Hearings

Note: The order of the items were changed from the original agenda.

1. Florida Tower Special Exception.

The applicant, Florida Tower Partners, is requesting to construct a 180” tall Flush Mounted Monopole and a related 5,850 square foot tower compound, and a City Council waver of the residential separation requirement from 1000’ to 915’.

Danny Allen, Sid Vihlen, Jr., Don Bauerle and Steve Costa addressed the Council.

Council Member Brady made a motion to approve the construction of the tower and grant the waver of separation requirement. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

2. Second reading of Ordinance No. 01-18, amending the Coty’s 2018 Capital Improvement Program (CIP).

Council Member Bacon made a motion to approve Ordinance No. 01-18 on the second reading. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

3. Second reading of Ordinance No. 02-18. To amend Sec.1-2 of the Land Development Code to include a definition of density applicable to the Southeast Mixed Use (SEMU) and Southwest Mixed Use (SWMU) Future Land Use designations.

Danny Allen and Steve Costa addressed the Council.

Vice Mayor Handy-Peters made a motion to approve Ordinance No. 02-18 on the second reading. Council Member Benfield seconded the

motion, motion approved 5-0.

4. Second reading of Ordinance No. 03-18, to amend the Integra 289 Exchange Development Agreement.

Council Member Bacon made a motion to approve Ordinance No. 03-18 on the second reading. Council Member Benfield seconded the motion, motion approved 5-0.

5. First reading of Ordinance No. 04-18, small scale future land use map amendment from Commercial Office (existing) to Commercial/Retail (proposed).

Council Member Brady made a motion to approve Ordinance No. 04-18 on first reading. Council Member Bacon seconded the motion, motion approved 5-0.

X. Growth Management and Development Review

1. None

XI. Old Business

1. None

XII. New Business

1. TOD Code

Staff is requesting the City Council to approve a contract for two task orders with ACi. The first task order (Part 1) is for the revision of the TOD regulating plan. The second task order (Part 2) is for the drafting of a mobility plan for the TOD area.

Steve Costa and Mort Culligan addressed the Council.

Vice Mayor Handy-Peters made a motion to approve the contracts with ACi in the amount of \$37,550 for Part 1 – Form Based Code and \$27,400 for Part 2 for the Mobility Plan.. Council Member Brady second the motion, motion approved 5-0.

2. Fort Florida Point Road

City Manager requesting the Mayor and Council to approve a final offer to settle a dispute between the property owners on Fort Florida Point Road.

Daniel Brennan and Heard Saxon addressed the Council.

Council Member Bacon made a motion to settle the Fort Florida Point Road homeowners in the amount of \$10,000.00, and the motion was amended to have a Hold Harmless Agreement with all 7 (seven) homeowners signing the agreement before payment is made. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

3. Approve bid for the construction of CDBG grant for the Bill Keller Park ADA compliant pavilion.

Mort Culligan addressed the Council.

Council Member Brady made a motion to approve the lowest bidder for the Bill Keller Park Pavilion to The Watauga Company in the amount of \$63,740 with \$51,874 financed from the CDBG Grant and the remaining amount of \$12,238 from the Parks Impact Fees budget. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

4. Discussion of the Fireman's Association proposed lot-split. This item was tabled to a future date by the City's Attorney.

XIII. Informational Items

1. City Manager discussion of financial position and number of days expense and reserve.
Update on Hurricane Irma expenses.
2. IT Director Eric Frankton made a presentation on the City's web site as to how the public can access the City Council video's that are stored on-line.
3. The Mayor talked about the free delivery of the Penny Saver paper. He has had citizen's complaints.

XIII. Council Member/Staff Reports

1. Board/Committee Appointments

2. Member Reports/Communications

A. Mayor and Council Members

Council Member Benfield made a motion to have the start times of the Regular City Council meeting changed from 7 PM to 6 PM for all future meetings. Council Member Bacon seconded the motion, motion approved 5-0.

B. City Manager

C. City Attorney

XIV. Date of Upcoming Meeting and/or Workshop

1. Special City Council Meeting March 21, 2018 6 PM
2. Regular City Council Meeting April 4, 2018, 6 PM

XV. Adjournment 11 PM

**CITY COUNCIL
CITY OF DEBARY, FLORIDA**

Bob Garcia, Mayor

ATTEST:

Warren Graham, City Clerk