

**City of DeBary**  
**REGULAR CITY COUNCIL MEETING**  
**Wednesday**  
**May 2, 2018**  
**6:30 PM**  
City Council Chambers  
16 Colomba Road, DeBary, Florida 32713

**MINUTES**

**I. Call To Order** Meeting Called to Order at 6:35 PM

1. Invocation
2. Flag Salute

**II. Roll Call**

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

Others present: Interim Manager Ron McLemore, City Attorney Kurt Ardaman, 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.

**III. Selection of New Council Member for Seat 3 and Swearing In.**

Mort Culligan, Gary Crews addressed the Council.

The Council also heard from the applicants for the open seat that were present at the meeting. They were: Ashleigh Hart, Jamie Haynes, Nick Koval, Jack Lenzen and Sid Vihlen, Jr.

Vice Mayor Handy-Peters made a motion to appoint Sid Vihlen to the open seat 3. Council Member Bacon seconded the motion.

Council Member Bacon wanted to amend the motion to use a ballot for the appointment. Council Member Benfield seconded the motion, motion was denied by a 2-2 vote. Council Members Bacon and Benfield voted Yes, Mayor Garcia and Vice Mayor Handy-Peters voted No.

Council Member Bacon withdrew his second on the first motion. Mayor Garcia seconded the first motion, motion approved to appoint Sid Vihlen for the open seat 3-1, Council Member Benfield voting No.

The City Clerk administered the Oath of Office to newly appointed Council Member Sid Vihlen.

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

Bret Douglas, Mort Culligan Beth Wheatley and Thomas Marshall addressed the Council.

**V. Approval of Minutes**

1. Regular City Council Meeting April 4, 2018

2. Special City Council Meeting April 18, 2018

Council Member Benfield made a motion to approve the minutes.

Vice Mayor Handy-Peters seconded the motion, motion approved 5-0

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

Mayor Garcia stated he wanted to remove Item 3 under New Business; License Agreement for Fireman's Hall and have it placed on the June meeting agenda.

Council Member Benfield wants to add an item under Informational Items – Follow up on tree removal on West Highbanks Road.

Council Member Bacon made a motion to remove items 4 and 5 from the Consent Agenda and consider them separately after the remainder of the Consent Agenda is voted on. Council Member Vihlen second motion, motion approved 4-1, Vice Mayor Handy-Peters voting No.

**VII. Presentations**

1. Hispanic Health Initiatives, Inc. presentation on Teen Suicide and the Opioid Crisis.

2. Proclamation for Teacher Appreciation Week – May 6 – 12, 2018.

**VIII. Consent Agenda**

1. Disposal of surplus equipment that is deemed unserviceable.

2. Rob Sullivan Park Parking Lot Expansion, emergency purchase to correct safety issues for lack of parking spaces at the park.

3. General Stormwater Engineering Services with Pegasus Engineering, Task Order 2015-20 in the amount of \$40, 000.00.

Council Member Vihlen made a motion to approved Consent Agenda items 1 through 3. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

4. Staff is requesting City Council authorize the City Manager to sign the Rep Services Agreement for installation of a playground and outdoor exercise equipment at Gateway Park. This item was approved

in the FY 2017-18 budget.

Mort Culligan and Bret Douglas addressed the Council.

Council Member Vihlen made a motion to approve the City Manager signing the contract. Council Member Bacon seconded the motion, motion approved 5-0.

5. Staff is requesting City Council to approve the lowest bidder (Park & Field Renovation) on Bid #05-18 for the Bill Keller Park Infield Renovation Project.

Mort Culligan addressed the Council.

Council Member Vihlen made a motion to approve the lowest bidder for the project. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

## **IX. Public Hearings**

1. Second reading of Ordinance No. 05-18, the applicant, Duke Energy is requesting an amendment to the Progress Energy Industrial Planned Unit Development (IPUD) to provide for limited access off of Donald E. Smith Boulevard.

Joe Del Rocco addressed the Council.

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

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

1. Resolution No. 18-09. DeBary Town Center LLC is requesting approval of an updated legal description for a vacate previously approved through Resolution No. 18-02.

Council Member Benfield made a motion to approve Resolution 18-09. Council Member Vihlen seconded the motion, motion approved 5-0.

2. Henin Group is seeking final plat approval for Rivera Bella Unit 8A; approval of lots 1-48.

Council Member Bacon made a motion to approve the final site plat for Rivera Bell Unit 8A. Council Member Benfield seconded the motion, motion approved 5-0.

## **XI. Old Business**

1. None

## **XII. New Business**

1. Resolution No. 18-07, a resolution requiring candidate for city elections to electronically file their campaign treasurer's report

utilizing the Volusia County Supervisor of Elections office's electronic filing system.

Council Member Bacon made a motion to approve Resolution No. 18-07. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

2. Resolution No. 18-08, Interlocal Agreement with Volusia County for Local Option Fuel Tax.

Vice Mayor Handy-Peters made a motion to approve Resolution No. 18-08. Council Member Benfield seconded the motion, motion approved 5-0.

3. License Agreement for Fireman's Hall.

This item was removed from the agenda this month and will be placed on the agenda for the June Regular Council Meeting.

4. Glen Abby Park Agreement.

Council Member Vihlen made a motion to terminate the agreement under mutual agreement by May 30, 2018 or a maximum of 180 days. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

### **XIII. Informational Items**

1. Item added by Council Member Benfield to have a follow up on the tree removal on West Highbanks Road. Veronica Horvath and Bryan Horvath addressed the Council.

Council requested that Growth Management Director Matt Boerger research a solution for future tree cutting through the Land Development Code.

Council Member Benfield stated that Duke Energy will supply 300 trees for free to the City for a give a way to the citizens. It is planned for Saturday June 9<sup>th</sup>. Distribution location to be determined.

### **XIV. Council Member/Staff Reports**

1. Board/Committee Appointments

Historic Preservation Advisory Board

Council Member Vihlen made a motion to appoint Greta Smith to the vacant position. Vice Mayor Handy-Peters seconded the motion, motion approved 5-0.

2. Member Reports/Communications

A. Mayor and Council Members

Council Member Vihlen resigned his position on the VGMG Committee as of May 2, 2018 since he has now become an elected official.

B. City Manager

C. City Attorney

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

1. A Budget Workshop is planned for Wednesday May 16<sup>th</sup> beginning at 4 PM followed by a Special Council Meeting at 6:30PM.

2. Regular City Council Meeting Wednesday, June 6, 2018 at 6:30PM.

**XVI. Adjournment 10 PM**

**CITY COUNCIL  
CITY OF DEBARY, FLORIDA**

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Bob Garcia, Mayor

**ATTEST:**

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Warren Graham, City Clerk