

**City of DeBary**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**Wednesday, November 7, 2018 - 6:30 PM**  
City Council Chambers  
16 Colomba Road, DeBary, Florida 32713

- I. **CALL TO ORDER:** The meeting was called to order at 6:31 p.m.
1. Invocation
  2. Flag Salute

- II. **ROLL CALL:** Mayor Garcia, Vice Mayor Handy-Peters, Council Members Bacon, Benfield and Vihlen are present.

Others present: Ron McLemore, City Manager; Rick Geller, City Attorney; Liz Bauer, Finance Director; Matt Boerger, Growth Management Director; John Fletcher, Parks & Recreation Director; Eric Frankton, Information Technology Director; Roger VanAuker, TOD Director; Alan Williamson, Public Works Director; David Hamstra, Stormwater Engineer; Warren Graham, Administrative Assistant; and, Annette Hatch, City Clerk.

- III. **COMMITTEE REPORTS:** None.

- IV. **PUBLIC PARTICIPATION FOR ANY ISSUES NOT ON THE AGENDA:** Shari Simmons, Anne Nunnery, Rebecca Neal, Morton Culligan, Carol Essrick, Lorraine Koval, and Patricia Stevenson addressed the Council.

- V. **APPROVAL OF MINUTES:**

1. Regular City Council Meeting, October 3, 2018
2. City Council Workshop, October 17, 2018

Motion by Vice-Mayor Handy-Peters to approve the minutes from October 3, 2018, and October 17, 2018. Seconded by Council Member Benfield. Motion passed unanimously. Council Member Bacon requested the minutes of October 17, 2018, Special Council Meeting be amended; the minutes will be revised.

- VI. **ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA:**

Council Member Bacon requested Item No. 3 be removed from the Consent Agenda and placed under Old Business.

City Manager requested to add an item under New Business.

**VII. PRESENTATIONS:**

1. Certificate of Recognition to Cornerstone Fabrication, LLC.
2. South Pine Meadow Drive Maintenance Improvements by David Hamstra.

Motion by Council Member Bacon to move forward with South Pine Meadow Drive improvements with \$70,000 from the Stormwater Reserve. Seconded by Council Member Vihlen. Motion passed unanimously.

**VIII. CONSENT AGENDA:**

1. Staff is requesting City Council approve the lowest quote for the Christmas Tree Lighting Skate Rink and give authority to the City Manager to sign the use agreement. The low bid was from Synthetic Ice Concepts in amount of \$5,000.00.
2. Disposal of Surplus Capital Equipment.
3. Approve Task Order 2015-30 with Pegasus Engineering in order to provide post-design services associated with Small Scale Stormwater Bid Package #4 in the amount of \$15,960.00.
4. Approve Task Order No. 2015-27 with Pegasus Engineering in order to design, secure permits, and prepare construction plans in order to implement the 134 Floridana Road Drainage Improvements, in the amount of \$42,785.00.
5. Approve Task Order 2015-28 with Pegasus Engineering in order to prepare construction plans to implement the Rob Sullivan Park CDBG Improvements, in an amount of \$8,352.00.
6. Approve Task Order No. 2015-29 with Pegasus Engineering in order to prepare construction plans to implement the Rob Sullivan Park West Parking Lot Improvements, in an amount of \$18,626.00.

Motion by Council Member Vihlen to approve the Consent Agenda with the exception of Item No. 3, which was moved to Old Business. Seconded by Council Member Benfield. Motion passed unanimously.

**IX. PUBLIC HEARINGS:**

First reading of Ordinance No. 13-18. Agent for Owner, Storch Law Firm, is requesting approval of a Business Planned Unit Development (BPUD) rezoning in anticipation of constructing White Sign Company headquarters.

Thomas Rychlock and Christopher Jones addressed the Council.

Motion by Council Member Benfield to approve the first reading of Ordinance No. 13-18. Seconded by Council Member Bacon. Motion passed unanimously.

**X. GROWTH MANAGEMENT AND DEVELOPMENT REVIEW:**

Variance for Case #18-03-VAR-HENRY. This request is needed at this time in order to allow the business, Happy Paws, to relocate their non-conforming sign so that it is in compliance with the City's Land Development Code requirements.

Motion by Council Member Benfield to approve the variance. Seconded by Council Member Bacon. Motion passed unanimously.

**XI. OLD BUSINESS:**

Task Order 2015-30 with Pegasus Engineering in order to provide post-design services associated with Small Scale Stormwater Bid Package #4 in the amount of \$15,960.

Motion by Council Member Bacon to approve the Task Order. Seconded by Council Member Vihlen. Motion passed unanimously.

**XII. NEW BUSINESS:**

1. Resolution No. 18-28. A resolution authorizing the execution of a railroad reimbursement agreement for the installation of West Highbanks Road grade crossing traffic control devices, and future maintenance.
2. Enter into agreement with FDOT to fund the installation of flashing lights and gates, cabinet, pedestrian gate, cable, conduit, power and concrete panel crossing surface at West Highbanks railroad crossing. Funding on an annual basis is \$1,800.

Patricia Stevenson addressed the Council.

Motion by Council Member Vihlen to adopt Resolution No. 18-28 authorizing execution of railroad reimbursement agreement and to authorize entering into an agreement with FDOT to fund the installation of flashing lights and gates, etc. at West Highbanks railroad crossing. Seconded by Council Member Benfield. Motion passed unanimously.

A recess was called by Mayor Garcia at 8:50 p.m.

Mayor Garcia resumed the meeting at 9:04 p.m.

3. Requesting City Council to approve Resolution No. 18-27 to amend the Fiscal Year 2017-2018 Budget.

Motion by Vice-Mayor Handy-Peters to approve Resolution No. 18-27. Seconded by Council Member Benfield. Motion passed 4-1. Council Member Bacon opposed.

4. Mayor requesting the City Council to initiate the search for a new City Manager through its search consultant, The Mercer Group, on December 3, 2018.

Karen Chasez, Phyllis Butlien, Dave Butlien, Paul Benfield, and Mark Sandler addressed the Council.

Motion by Council Member Benfield authorizing the City Attorney to negotiate with the Mercer Group, Inc., by November 14, 2018, for up to \$26,000 to perform the City Manager search and to authorize the RFP process if the Mercer Group does not accept the City's offer, as well as to simultaneously advertisement with the Florida League of Cities of the City's City Manager search. Seconded by Council Member Bacon. Motion passed unanimously.

5. Authorization to allow ZHE to repair the faulty brake system of Public Works' F-650 dump truck at a cost of \$3,755.

Motion by Council Member Benfield to approve the repair. Seconded by Council Member Bacon. Motion passed unanimously.

**XIII. INFORMATIONAL ITEMS:** None.

**XIV. COUNCIL MEMBER/STAFF REPORTS:**

1. Board/Committee Appointments: None.
2. Member Reports/Communications:
  - a. Mayor and Council Members

Council Member Benfield discussed the nomination of the Vice-Mayor. Motion by Council Member Vihlen to nominate Vice-Mayor Lita Handy-Peters as Vice-Mayor. Seconded by Council Member Bacon. Motion passed unanimously.

Council Member Vihlen reminded Council that a Workshop date for the Duke Energy presentation for the DeBary Solar Farm was still pending. It was suggested the Workshop be tentatively scheduled prior to the December 5, 2018, Regular Council Meeting, at 5:00 p.m.

- b. City Manager: None.

c. City Attorney:

Mr. Geller informed Council that the Special Counsel Report would be available prior to the November 14, 2018, Special Council Meeting.

**XV. DATE OF UPCOMING MEETING AND/OR WORKSHOP:**

1. City Council Workshop – December 5, 2018, at 5:00 p.m.
2. Regular City Council Meeting – December 5, 2018, at 6:30 p.m.

**XVI. ADJOURNMENT:** The meeting was adjourned at 10:37 p.m.

**CITY COUNCIL  
CITY OF DEBARY, FLORIDA**

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**Bob Garcia, Mayor**

**ATTEST:**

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**Annette Hatch, City Clerk**