



# City of DeBary, Florida

City Hall  
16 Colomba Road  
Tel. 386/668-2040  
Fax 386/668-4122

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## City of DeBary CITY COUNCIL MEETING AND EXECUTIVE SESSION

Wednesday, March 18, 2009

6:00 PM

City Council Chambers  
16 Colomba Road DeBary, Florida 32713

### AGENDA

**I. Call To Order**

**II. Roll Call**

**III. Business**

Request by City Attorney for Executive Attorney-Client Session to Discuss Pending Litigation Pursuant to Section 286.011(8), Fla. Stat. concerning DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10280-CIDL and DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10293-CIDL.

**IV. Recess Public Meeting and Open Executive Attorney-Client Session with City Attorney**

Executive Attorney-Client Session (Closed to Public) to Discuss Pending Litigation concerning DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10280-CIDL and DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10293-CIDL.

Estimated Length of Session: 45 minutes

Names of the Persons Attending: Mayor Bob Garcia, Vice Mayor Norm Erickson, Council Member Lenny Marks, Council Member Jack Lenzen, Council Member Van Conoley, City Manager Maryann Courson, City Attorney A. Kurt Ardaman, Assistant City Attorney Dan Langley, and Court Reporter.

**V. Termination of Executive Session and Reopening of Public Meeting**

**VI. Adjournment**

If any person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (FS 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 668-2040.

**City of DeBary**  
**REGULAR CITY COUNCIL MEETING**  
**Wednesday**  
**March 18, 2009**  
**7 PM**

City Council Chambers  
16 Colomba Road                      DeBary, Florida 32713

**AGENDA**

**I. Call To Order**

1. Invocation
2. Flag Salute

**II. Roll Call**

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

**IV. Approval of Minutes**

1. Regular City Council Meeting held January 7, 2009.

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

**VI. Presentations**

1. Certificate of Recognition to Nancy Diane Morris, DeBary Elementary School's Nominee for Teacher of the Year.
2. DeBary Volunteer Firemen's Association – Station 33.
3. Presentation by Dr. Harvey Harper with Environmental Research & Design (ERD) Regarding the Lake Monitoring Program.
4. Presentation by Tom Blawn, President of Neighbors for a Better DeBary.

**VII. Consent Agenda**

*Agenda items marked with \* are considered routine matters or have been previously discussed by the City Council. All items are considered by one motion unless removed from the Consent Agenda by a member of the City Council.*

None.

**VIII. Public Hearings**

*Members of the Council should disclose for the record the substance of any ex-parte communication that has occurred before or during the public hearings for the following items:*

1. Ordinance #01-09- First Reading – Creation of the Riviera Bella Streetlighting District.
2. Ordinance #02-09 – First Reading – Prohibiting Illicit Discharge into the City's Stormwater System and Reapplication of Pollutant Discharge Elimination (NPDES) System Permit – Phase II.

**IX. Growth Management and Development Review**

1. Request for Administrative Future Land Use Map Change – Empire Cattle.

**X. Old Business**

None.

**XI. New Business**

1. Discussion of Interlocal School Concurrency Agreement by Council Member Conoley.
2. Discussion of Roberts Rules of Order by Council Member Conoley.

**XII. Council Member/Committee/Staff Reports**

- a. Board / Committee Appointments  
Strategic Planning Steering Committee

Ann Batson  
Keith Bradshaw  
David Dougherty  
Jim Gangitano  
Robert Knott  
Dolores Lukomski  
Rick McBride  
George Morgan  
Don Neyer  
John Wanamaker

- b. Member Reports/Communications
  - A. Mayor and Council Members
  - B. City Attorney
  - C. City Manager – Reschedule April 1<sup>st</sup> Council Meeting.

**XIII. Adjournment**

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