

**City of DeBary**  
**REGULAR CITY COUNCIL MEETING**  
**Wednesday**  
**August 6, 2003**  
**7:00 PM**

Florence K. Little Town Hall  
12 Colomba Road  
DeBary, Florida 32713

**MINUTES**

**I. Call to Order**

1. Invocation
2. Flag Salute

**II. Roll Call**

**Members Present:** Mayor Carmen Rosamonda, Vice Mayor George Coleman Council Member Christopher Carson and Council Member Richard Gunter.

**Absent:** Council Member Danny Allen.

**Others Present:** City Manager Richard Diamond, Assistant City Manager Maryann Yaskanich and City Attorney Kurt Ardaman.

**III. Public Participation For Any Issues Not On the Agenda**

Chris Tidball, 488 Pine Meadow Drive, Co-founder of Operation DeBary Save Our Schools stated that a group of concerned citizens in favor of a high school in DeBary were researching information to address concerns regarding the suitability of the site; that 2,600 area residents had signed a petition in favor of having a high school in the near future; and that it was hoped that the City Council would support a high school.

Bill Umlauf, 487 N. Pine Meadow Drive, addressed the issue of the acreage size of the proposed site; that research had showed that other area high schools were built on less acreage; that national studies and research showed that for 200 students, 40 to 50 acres was an average site size; that there would be sufficient area for athletic facilities; and that he requested that the City Council take this information into account.

Susan Feronte-Reed, 165 DeBary Drive, stated that she was addressing the concern about a gas line on the property; that it had not been an issue when the site was approved for the proposed Town Center site; that Florida Gas Transmissions Company had located the line on the site and that the area could be an easement; that gas transmission lines also run through residential roads in DeBary; that the gas lines did not pose a hazard; and that she would like to see a reconsideration of Resolution 03-07 in favor of a High School on the proposed site.

Steve Lyon, 178 Community Drive, addressed the issue of traffic near the site; that traffic would increase with any development to the site; that traffic studies by Traffic and Planning Design of Maitland and Ghyabi & Associates showed that a student population of 2,000 would generate 3,500 trips per day; that the proposed development of a Town Center would generate 18,500 trips per day; that high school traffic congestion times would be more predictable; that alternate routes would be available during those times of congestion; that improvements to I-4 and Enterprise Road would reduce traffic on Highway 17-92; that Shell Road could be used as a bypass to the Dirksen/17-92 intersection; that the traffic patterns in the morning would not cause problems with a left turn lane; that a school zone would reduce the traffic speeds in the area; and that he requested that the City Council support a high school on the site.

Herbert Reed, 165 DeBary Drive, addressed the construction timeline for an area High School; that other sites under consideration were not suitable or that it would take too long to build infrastructure; that the DeBary site would allow an operational high school by 2007; that the School Board had already paid for a \$25,000 feasibility study; that the majority of the infrastructure was in place at the Dirksen Drive site; that the YMCA might build a facility nearby; that there were no other viable site choices available; and that he requested that the City Council reconsider Resolution 03-07.

Stephanie Kapparos, 277 Hammock Oak Circle, stated that Deltona High School was overcrowded by 1,100 students with 54 portable classrooms; that a 17% student population growth figure was anticipated; that class size restrictions dictated by Amendment 9 would be exceeded by 2010; that the DeBary site would allow a high school to be built by 2007; and that a high school was needed sooner rather than later.

Brian Honea, 199 Suncrest Drive, discussed that, as a student at Deltona High, portable classrooms consumed travel time between classes, were a hazard and were already overcrowded; that a new high school would relieve that and wished that the City Council would reconsider its vote.

James White, 59 Spring Ridge Drive, stated that the portables at the schools are not adequate and that a high school in DeBary would benefit the community and the students.

James Glen, 471 Pine Meadow Drive, stated that as a real estate agent, he had real estate research showing that a high school would increase DeBary's tax rate and tax base; that the market values of homes would increase as more people would prefer to buy in DeBary due to the access to schools; that the average market value of a single family home in DeBary was currently \$123,000; that a 5% increase in market value would generate approximately \$67.2 million dollars in increased taxes; that he believed that the high school would increase the DeBary tax base and hoped that the City Council would consider a re-vote.

Gary Esposito, 483 North Pine Meadow Drive, stated that, if a high school was not constructed in DeBary, that there would be 110 portable classrooms required by 2007; that it was a safety hazard as well as a detriment to education; that there would no longer be room for sport facilities; and that the Town Center would cause more traffic than a school.

Daniel Lee, 401 Hollingsworth Court, stated that the Volusia County School system was underfunded and overpopulated; that a high school was necessary; that the information provided by previous speakers showed that the proposed site was adequate; that the School Board should be informed that a high school was desired in DeBary; that over 3,000 signatures had been collected in support; that he formally requested that the City Council pass a new Resolution to rescind Resolution 03-07 and support a DeBary High School to be built on the property at Dirksen and 17-92.

Elaine Simmons, 109 Pine Side Drive, stated that as a real estate professional in West Volusia, the prime concern for families was quality education; that recent figures for re-sales and new construction showed a growing influx of residents in the area; that a high school was needed sooner rather than later; and that she urged the City Council to reconsider their support.

Mayor Rosamonda thanked the community for their comments and information, that this issue was an emotional issue, and that the Volusia County School Board would be making their decision on August 26, 2003. Vice Mayor Coleman noted that he had attempted to respond to as many emails as he could; that the School Board would not respond to inquiries and had not provided any proposed plan for a school; that he could not make a decision for support without information from the School Board.

#### **IV. Approval of Minutes**

1. Special City Council Meeting held June 23, 2003.
2. Regular City Council Meeting held July 2, 2003.

Motion to approve was made by Vice Mayor Coleman. Council Member Gunter seconded. The motion carried unanimously.

#### **V. Presentations**

#### **VI. 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 No. 09-03 — Amending the Future Land Use Map of the Adopted Comprehensive Plan by Changing the Land Use Designation for Property West of Enterprise Road from Residential/Low Density to Commercial/Office – Oscar Wilson – Case 03-SS1- **Second and Final Reading.**

City Attorney Ardaman read Ordinance No. 09-03 by title. Tom Brooks, on behalf of the City of DeBary, reviewed the proposed amendment; that it was a complicated issue but he felt that the plan would benefit all parties; that he had met with the City Managers of DeBary and Orange City as well as the Volusia County Planning Director to work out issues; that the DeBary parcel would be consistent with Orange City's development standards; that residents would be

protected from truck traffic; that a County easement was included; and the County's utility trucks would have access to 17-92. It was discussed that the adjacent property owner would be purchasing an easement off of Enterprise Road; that the Ordinance could not be conditional; and that the Land Use Map would have to be changed back if the terms of the PUD rezoning could not be met.

Tom Smith, 305 Glen Club Drive, noted that he had the property under contract; that under the terms of the contract, if the future land use amendment were not granted, he would have to reappear to request the land use map be changed back to a residential classification; that he had no interest in developing residential property; and that, under the PUD rezoning process, the terms of the agreement stated that he would not access the property other than from Rebecca Lane.

Mayor Rosamonda entertained a motion to adopt Ordinance No. 09-03. Motion was made by Vice Mayor Coleman. Council Member Carson seconded. The motion carried unanimously.

2. Ordinance No. 11-03 — Rezoning Approximately 4.6 Acres of Property Located at the East Side of Tera Plantation Land approximately 500 Feet West of Enterprise Road from R-4 (Urban Single Family Residential) to BPUD (Business Planned Use Development) - **First Reading.**

City Attorney Ardaman read Ordinance No. 11-03 by title. Volusia County Planner Scott Ashley reviewed the Staff report and the BPUD agreement; that currently the County's utilities staff had to access the water plant through the residential area of Glen Abbey; that the applicant would provide an access easement to Enterprise Road; that the adjacent parcels were within Orange City and were commercial in characteristics; that Orange City development standards were more restrictive than DeBary; and that some minor changes to signage had been suggested.

It was discussed that the access easement for the County would allow the entrance to the water plant to be moved from the residential area; that there would be buffers between the residential area and the rear of the property; that the proposed rezoning would provide relief to the residential area from commercial traffic; that buffers and setbacks would meet County, DeBary and Orange City development standards; that there would be a 30' buffer for the Eagles Nest development; that an existing wall would be extended as a buffer for the Woodlands area; that it would be an office development and would have low traffic impact; that the plan presented was a concept plan and individual lot development would have to come before the City Council for final site plan approval; that the 24foot access between the buildings was the standard for two-way traffic and would be part of the Orange City review; that County Staff recommended approval contingent upon the approval of Comprehensive Plan amendment and Staff comments from County staff and Orange City staff.

Mayor Rosamonda entertained a motion to approve Ordinance No. 11-03 pursuant to the Staff Report for Case No. 03-005. Motion was made by Council Member Gunter. Council Member Carson seconded.

3. Ordinance No. 12-03 – Vacating a Portion of a Utility Easement at 39 Hollow Pine Drive – **Second and Final Reading.**

City Attorney Ardaman read Ordinance No. 12-03 by title. Motion to approve was made by Vice Mayor Coleman. Council Member Carson seconded. The motion carried unanimously.

4. Ordinance No. 13-03 – Reinstating the Prohibition of Exposed Metal Buildings on Gateway Corridors – **Second and Final Reading.**

City Attorney Ardaman read Ordinance No. 13-03 by title. City Manager Diamond discussed the necessity for the reinstatement. Mayor Rosamonda entertained a motion to approve Ordinance No. 13-03. Motion was made by Vice Mayor Coleman. Council Member Gunter seconded.

5. Ordinance No. 14-03 – Amending the Flood Hazard Management Regulations – **First Reading.**

City Attorney Ardaman read Ordinance No. 14-03 by title. It was discussed that the Federal Requirements for the Flood Insurance program required an added definition to be consistent with federal regulations.

Mayor Rosamonda closed the public hearing and opened the Land Planning Agency meeting without objection. Mayor Rosamonda entertained a motion to recommend approval of Ordinance No. 14-03 to the City Council. Motion was made by Council Member Gunter. Vice Mayor Coleman seconded. It was discussed that FEMA periodically amended the maps designating the 100-year flood plains; that for residents to receive reduced flood insurance premiums, the City was required to participate and meet criteria for the Federal Program; that there had been recent changes to the maps; and that flood insurance maps were available for review at City Hall. The motion carried unanimously.

Mayor Rosamonda closed the Land Planning Agency and opened Public Hearings without objection. City Attorney Ardaman read Ordinance No. 14-03 by title. Mayor Rosamonda entertained a motion to approve Ordinance No. 14-03. Motion was made by Council Member Gunter. Vice Mayor Coleman seconded. The motion carried unanimously.

6. Request for Variance from the Maximum Fence Height (5 Feet in Lieu of the Required 4 Feet) at 394 Magnolia Place – Application of Gwen E. Jacoby.

Volusia County Planner Scott Ashley reviewed the Request for Variance; that the fence height did not comply with land development regulations; that the property owner had installed the taller fence due to safety concerns with their dogs and for additional privacy from the boat ramp area; that the fence was not permitted and did not comply with code; and that Staff could not recommend approval.

Lee Bargam, property owner, discussed that the property was a recent purchase; that they had made various improvements to the property and had installed a six-foot vinyl fence, which was buried one foot to prevent the dogs from digging out; that he installed the fence without a permit

without any intent to violate land development regulations; and that he could provide written letters from surrounding property owners who did not have any objections to the fence.

Carolyn Evans, 387 Magnolia Place, stated she also owned the property at 388 Magnolia Place; that she was in favor of the fence; and that she requested the variance be granted.

It was discussed that the fence was aesthetically pleasing; that precedent might be set if this variance was granted; and that a permit would have to be applied for. Council Member Gunter made a motion to approve the Request for Variance. Council Member Carson seconded. The motion carried unanimously.

## **VII. Consent Agenda**

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

- \*1. None.

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

- 1. None.

## **IX. Old Business**

- 1. Lake Charles Drainage Basin Study Options-Final Design Services.

David Hamstra, Professional Engineering Consultants (PEC) reviewed the study; that the Lake Charles basin was a land-locked basin with water discharge provided only through the pump station at Lake Charles; that there was photo documentation of flooding at 200 May Place and 300 May Place from previous years; that five alternatives were evaluated for lowering water levels at Woodbound Lake and Lake Charles which had the most residential impact; that the first two alternatives were to change the elevation at the pump is turned on by one to two feet; that the third alternative was to double the size of the pump, which would create a permitting issue due to increased discharge at I-4 and the St. Johns River; that the fourth alternative was to lower the elevation at which Woodbound Lake would discharge to Lake Charles; that storage during storms would then be available in Woodbound Lake; and that the fifth alternative was to lower the pump-on elevation by one foot at Lake Charles and also lower the elevation between Woodbound Lake and Lake Charles by 2.7 feet, keeping the elevation of both lakes at 26.5 prior to the occurrence of storm events. Mr. Hamstra reviewed the tables provided; that all structures at 200 May Place and 300 May Place had been physically surveyed; that predicted elevations for different storm events were included and the level at which flood would occur; that flooding would be limited depending on the severity of events; that the alternatives presented were the most likely to be permitted; that the goal was to reduce the duration of any flooding as well; that minor benefits would be achieved during minor events, but flooding could not be eliminated during 100-year events; that the fifth alternative was recommended as having the most benefit;

and that estimated costs were \$50,000 to \$75,000 including permitting, design and construction but would not cover the cost of easements that would need to be acquired.

It was discussed that the 10, 25 and 100-year flood information were statistically based percentages; that the concern would be the cumulative effect on the closed basin area; that the information gathered showed that the areas on May Place would be chronically flood prone due to the elevations on the properties; that the pump did not have the capacity to move enough water during storm events; that by lowering the level at Woodbound Lake there would be more volume available to hold the water during storm events; and that the proposed weir could be manipulated or made permanent in height.

City Manager Diamond discussed the proposal to enhance the swale along I-4 which is currently used as a discharge to the St. Johns by the emergency stormwater system; that this was an item later in the Agenda; that with FDOT's assistance the Federal Highway Administration would be approached regarding the continuing and permanent discharge of the emergency stormwater system into the I-4 swale; that if implementation of Phase III of the Flood Management Program was successful, there would be a possibility of increasing the size of the pumps; that it could be revisited to enhance the fifth alternative presented; that a 10% increase in rainfall could happen in any given year; that given the current water tables, lesser amount of rain would still cause flood situations; that the easements that would be required would impact two property owners at May Place, but would have to be surveyed to determine the exact location; that the proposed alternative five should lower the ground water levels by 12 to 24 inches.

Michael Detoronto, 100 May Place, discussed that Woodbound Lake was shallow and was being overwhelmed by the runoff from the other lakes; that Woodbound Lake should be deepened or have an increased capacity pump at Lake Charles. It was discussed that Woodbound Lakes could be dredged but there would be environmental impact to water quality; that Woodbound Lake was private property; that if it were deeper it would still not provide additional flood protection as the water tables would still be at the same heights.

Michael Hopkins, 200 May Place, discussed his understanding of the information presented; that alternative five appeared to be the best option; that when the permits were obtained for the pump at Lake Charles, the additional basins were not taken into consideration; that a pump with increased capacity should be included; that he concurred with an adjustable weir system. Mr. Hopkins was advised that the pump was continuously monitored and the data collected; that the information had been included in the study results. He further discussed that the weir system would provide for more purified water draining to the St. John's and would be looked upon more favorably by the St. Johns River Water Management District.

It was discussed that PEC could research added pump capacity as well as dredging Woodbound Lake; that better short term water removal would be provided by the added pump capacity; that PEC could present the request for the doubled pump capacity along with the implementation of alternative five; that the larger swale along I-4 would be able to handle more water discharge. It was discussed that construction bids would still have to be brought for approval; that the engineering and design portion would not exceed \$50 thousand and should be less.

Mayor Rosamonda entertained a motion to approve option five as provided by PEC, Inc., also to provide for option five up to \$50 thousand for planning, permitting and construction plans to be administrated by the City Manager; as well as authorizing the request for a permit from St. John's Water Management District to increase the pump capacity; as well as looking at the construction costs for dredging Woodbound Lake and determining the proper level. Motion was made by Vice Mayor Coleman. Council Member Carson seconded. There was further discussion that the combination of option five and increased pump capacity would be the most satisfactory; that the St. Johns River Water Management District would be in control of allowing added pump capacity; and that PEC would represent the City to request the changes and would confirm that the added basins were considered when the pump at Lake Charles was originally permitted. The motion carried unanimously.

2. Adelaide Street/Delespine Drive Drainage Improvements Phase II – Final Design Services.

City Manager Diamond reviewed the flooding issues of the closed drainage system at Adelaide Street; that PEC had reviewed the area to determine if there was improper design or installation; that they had proposed solutions including a catch basin at the end of the Adelaide cul-de-sac; and that standing water at Delespine Drive and the Adelaide cul-de-sac could be piped underground along Highbanks Road to Turtle Pond. It was recommended that approval be given.

Mayor Rosamonda entertained a motion to approve the final design services for PEC for \$37,664. Motion was made by Vice Mayor Coleman. It was discussed that these were long standing problems; that the proposed solutions for Lake Charles would provide additional relief for this area. Council Member Gunter seconded. It was further discussed that there would be additional construction costs; that the system needed to be brought up to date; that a new pipe would connect the systems on Adelaide Street and Highbanks Road; that the design would take approximately six months and construction approximately two months; and that the design would take the standing water at Delespine Drive into account. The motion carried unanimously.

## **X. New Business**

1. Resolution No. 03-12 Approving a Reapportionment of the Voting Membership of the Volusia County Metropolitan Planning Organization (VMPO) – Mayor Rosamonda.

City Attorney Ardaman read Resolution No. 03-12 by title. It was discussed that the VMPO had added Flagler Beach and Beverly Beach to their membership; that the voting apportionments would change but there would be no change to DeBary's weighted vote. Mayor Rosamonda entertained a motion to approve Resolution No. 03-12. Motion was made by Vice Mayor Coleman. Council Member Gunter seconded. It was discussed that, with the additional members, the vote would be diluted although DeBary still maintained one vote. The motion carried unanimously.

2. Interlocal Agreement for Distribution of the Local Option Gasoline Tax.

City Manager Diamond discussed the existing Interlocal Agreement for the distribution of 11 cents per gallon Local Option Gas Tax totaling approximately \$390,000 in City revenues for the current year; that the current formula was based on pro-rata County population and assessed value of property; that Florida Statute requirements had to be met as far as the use of the funds for transportation expenditures; that the consensus of the various jurisdictions was to leave the current agreement amount in place and that any excess would be split by thirds based on population, number of road miles and assessed values; that the City would only receive additional portion if it took over maintenance of County roads; and that approval was recommended.

It was discussed that population figures were reviewed based on the Estimate of Population published by the University of Florida yearly; that a yearly adjustment would be made based on those figures. Mayor Rosamonda entertained a motion to approve the distribution. Motion was made by Council Member Gunter. Vice Mayor Coleman seconded. It was further discussed that the amount had increased regularly over the years and that the funds could be spent on sidewalks. The motion carried unanimously.

3. Request for Funding Assistance for Additional Music on the Green Concerts – Citizens for DeBary.

It was discussed that in-kind donations had been made for previous events. John Harvey, 61 Floridana Road, on behalf of Citizens for DeBary reviewed the requests for the events to be held on September 14 and October 12, 2003; that, previously, portable toilets and barricades had been provided; that they were requesting that trash receptacles be included; that there would be no additional cost for waste receptacles; and that \$300 would be sufficient. Mayor Rosamonda entertained a motion to approve up to \$300 of in-kind services to the Citizens for DeBary for their events on September 14 and October 12, 2003. Motion was made by Council Member Gunter. Vice Mayor Coleman seconded. The motion carried unanimously.

4. Discussion of Performance Evaluation for City Manager.

It was discussed that City Manager Diamond's employment contract required a performance review in August or September of each year; that a copy of the agreement and the evaluation form used in prior years had been provided; that, in the past year, the City Manager had met with each Council Member individually as well as publicly; that the forms had been compiled to provide an average rating and that point values were used. It was discussed that the forms should be completed by August 25, 2003 for discussion at the September meeting; that individual meetings would be held within that time; that Assistant City Manager Yaskanich would compile the results; and that a contract review was required to recommend any changes, salary considerations, etc.

5. Design Services for Emergency Flood Management System – Phase III.

City Manager Diamond discussed that the last phase was to extend the pipe from Bill Keller Park, through residential areas and then under Dirksen Drive to discharge into the DeBary Bayou; that DOT had indicated there was now an opportunity to approach the Federal Highway Administration to discharge into the I-4 right-of-way with an improved swale which could result in substantial construction savings; that a concept plan would be presented by FDOT; and that if the Federal Highway Administration approved the concept plan, it was requested that authority be given to spend \$26,089 to allow the existing engineer and contractor currently working on the I-4 improvements to complete the plan.

Mayor Rosamonda entertained a motion to authorize up to \$27,000 for design services for the Emergency Flood Management System on the I-4 right-of-way. It was discussed that FDOT had previously discouraged the plan; that meetings had been held with the consultants that appeared to be positive; that the cost estimates were not available, but there would be enough time after the completion of design services to present the construction costs for approval; and that a rough estimate would be \$30,000 for construction. Mayor Rosamonda restated that he would entertain a motion to approve up to \$27,000 for design services for the Emergency Flood Management System on the I-4 right-of-way and authorize the City Manager to spend up to \$30,000 for construction of such project. Motion was made by Vice Mayor Coleman. Council Member Gunter seconded. It was discussed that Phase III had taken approximately three years and that, if necessary, Congressman Mica would be contacted.

**XI. For the Good of the Order (Routine Recurring Business)**

1. Board Committee Reports

A. 10 Year Anniversary Committee – Review of Contracts.

Chair Patrick Fulton provided contracts for review. It was discussed that an individual entertainment promotion company would handle all entertainment; that the County had provided their requirements for the use of Gemini Springs for the Celebration; that the contract with the County for the use of Gemini Springs was approximately \$10,000; that Waste Management, Fire Services and Law Enforcement as well as the Port-o-lets costs could be negotiated by the City; and that the City Attorney still needed to review the County contract for the use of Gemini Springs. A date for a Special Meeting was discussed; that a meeting could be held on August 20, 2003 at 7:00 PM. It was discussed that the contract for Gemini Springs had been issued by Tim Wheatly, Bill Apgar and the current Gemini Springs representative; that the County Council would have the right to waive any fees, but County Staff did not have that authority; that Mr. Fulton was trying to get on the County Council's agenda for the last meeting in August; and that the Mayor's attendance at that meeting was requested.

It was further discussed that all contracts would be reviewed by the City Attorney; that the County contract for the use of Gemini Springs had details regarding liability; that the contracts would be available by August 20, 2003; that a Budget Workshop was to be held August 20,

2003; that the Special Meeting should be held on August 12, 2003; and that Jade Productions, who was handling the entertainment would also be handling the fireworks. Liability issues were discussed; that the City would have to be protected from liability exposure; that renegotiation might be required for some contracts; that a general contract could be drafted to present as a replacement for any vendor contracts that did not meet liability requirements; that there were time constraints to finalize the contracts; that they were not for large amounts of money; that the vendors could be advised that the contracts were under review; that addendums could be added which holds the City harmless; that contracts received after the 12<sup>th</sup> would be brought individually; that the meeting would be held on August 12, 2003 at 7:00 PM. It was further discussed that the cost estimates to date were \$35,000, not including Jade Productions, as there were lighting issues to be resolved; and that the Special Meeting could be advertised appropriately. Council Member Gunter disclosed ex-parte communication with interested parties.

2. Board/Committee Appointments

- |    |                                 |         |
|----|---------------------------------|---------|
| A. | Historic Preservation Committee | Gunter  |
| B. | Ten Year Anniversary Committee  | Coleman |

It was discussed that Diane Obremski was interested in joining the 10-Year Anniversary Committee. Mayor Rosamonda entertained a motion to appoint Diane Obremski to the 10-Year Anniversary Committee. Motion was made by Vice Mayor Coleman. Council Member Carson seconded. The motion carried unanimously.

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| C. | Code Enforcement Board | Coleman |
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It was discussed that Vice Mayor Coleman wished to nominate Greg France. Mayor Rosamonda entertained a motion to appoint Greg France to the Code Enforcement Board. Motion was made by Vice Mayor Coleman. Council Member Carson seconded. The motion carried unaimously.

3. Member Reports/Communications

- A. Mayor and Council Members

The City's "National Night Out" event was discussed; that a need for a communication tower for the radio operators was discussed; that there were funds budgeted for engineering costs in the upcoming budget; and that Assistant City Manager Yaskanich had provided a list of possible engineers that do small projects such as the permit plans for a communications tower installation, but that it appears that the project was not ready at this time.

Council Member Carson discussed that he had met with Volusia County Council Member Long and Volusia County Parks and Recreation Director Bill Apgar concerning the proposal for Volusia County to contract with the City for provision of Parks and Recreation services and he would present the results of this meeting at the Council's Budget Workshop.

Mayor Rosamonda discussed that he had received letter from other cities requesting the City support the Conference of Mayors Resolution for heightened accountability and performance

measures from the Florida State Department of Transportation and Metropolitan Planning Organizations; that recent actions in Holly Hill by the FDOT may have precipitated this request; that Mayor Rosamonda wished to consult with Council Members as to whether they desired to add an agenda item on the matter. It was also discussed that the Florida Redevelopment Association Conference would be held October 22-24; attendance by Council Members was encouraged; and that the Conference was very informative and educational and related to issues in DeBary.

**B. City Attorney**

City Attorney Ardaman reviewed the status of the litigation concerning the Summerhaven retention pond and stated that settlement documents should be available for signature shortly.

**C. City Manager**

Assistant City Manager Yaskanich discussed that Scoreboards were being installed at the ball fields and that the areas were under construction with open ditches.

**XII. Adjournment.** The meeting adjourned at 10:15 PM.

**APPROVED September 3, 2003  
CITY OF DeBARY  
CITY COUNCIL**

**Carmen Rosamonda, Mayor**

**ATTEST:**

**Maryann Yaskanich, City Clerk**