

City of DeBary
SPECIAL CITY COUNCIL MEETING
Wednesday
September 17, 2003
7 PM
Florence K. Little Town Hall
12 Colomba Road DeBary, Florida 32713

MINUTES

- I. Call To Order**
- II. Roll Call**

Present: Mayor Carmen Rosamonda, Vice Mayor George Coleman, Council Member Danny Allen, Council Member Christopher Carson, and Council Member Richard Gunter
Others Present: City Manager Richard Diamond and Assistant City Manager Maryann Yaskanich

III. Business

- 1. Request for Variance from the Front Yard Setback (20 Feet in Lieu of the Required 30 feet) at 75 Dial Avenue – Application of Michael Boland for Owners Keith and Nora Wilkins.

Michael Boland, 6 Afton Avenue, discussed that the variance was required due to the fact that there were wetlands in the rear yard of the property; that moving the house forward would minimize the impact to the wetlands; that the lot would be left wooded; that he owned the facing property on a dead-end road; that Lake Konomac bordered the property on the south with an 80-foot easement and canal; and that County staff had recommended moving the house forward.

It was discussed that the rear yard was almost entirely wetlands and that there would be a concern with high water issues. Mr. Boland discussed that he had extensive experience as a builder; that the canal had been in place for 40 years; that the wetlands were dying and were only defined by the type of trees and vegetation present in the area; that there was not an existing high water table; that Florida Power and Light pumped the canal regularly to keep the canal berms dry. There was further discussion that there would be a raised septic field and a stem wall would be used for the home; that the wetland was 8 feet away at the closest point; that the stem wall would be approximately 1.5 feet; that the wetlands could not be encroached upon without permit; and that the purpose of the variance was to save and recharge the wetland area.

Keith Wilkins, 674 Armadillo Drive, Deltona stated that he desired to build a house on the property and was aware of all the limitations; that there was no sign of water on the property; and that he was aware that no pool or deck could be placed at the rear of the property. There was further discussion that the house would be set one foot above the crown of road; that it was a private street; that the street was partially paved and dead ended at Florida Power and Light property; that the house design had the garage portion extending past the 30-foot setback; and that, with the recent wet weather, there did not appear to be water on the property. Motion was made by Council Member Carson to approve the application. Council Member Allen seconded. There was further discussion that there would still be concerns if there were high water issues in the future; that it was situated on a private street and the City would not have the obligation to pump water on that street and that there was an existing storm water

retention pond on the street. The motion carried 4-1 with Vice Mayor Coleman dissenting.

2. Resolution No. 03-18 Adopting a Final Millage Rate for the Levy of Ad Valorem Taxes for Fiscal Year 2003/2004.

City Attorney Ardaman read Resolution No. 03-18 by title. It was discussed that this was the final budget public hearing; that the current millage rate was at 2.50746 and the rollback rate was 1.96281; and that it appeared to be the consensus of the City Council to maintain the current millage rate as there would be substantial capital improvement projects occurring in the near future. It was also discussed that the final annual operating budget could not be approved until a millage rate was adopted.

Raymond Whitaker, 147 Delespine Drive, asked for confirmation that the City was currently debt free and the millage rate was proposed to remain the same; that in effect, taxes were increasing by approximately 3% per year due to the increase in property values; and that City revenue funds increased yearly; that he felt that the City should not raise taxes. It was discussed that DeBary's millage rate was substantially lower than surrounding communities; that the City was determined to invest in the future; that costs for City services continued to increase due to population growth; that the millage rate had dropped over the last ten years; that major improvements to sidewalks and roads were scheduled this year; that facilities to encourage younger persons and families were being constructed; and that drainage was being improved including the area at Delespine Drive and Highbanks and Highbanks Road.

Mayor Rosamonda entertained a motion to adopt Resolution No. 03-18. Motion was made by Vice Mayor Coleman. Council Member Gunter seconded. The motion carried unanimously.

3. Resolution No. 03-19 Adopting the Final Annual Operating Budget for the Fiscal Year Beginning October 1, 2003 and Ending September 30, 2004.

City Attorney Ardaman read Resolution No. 03-19 by title. It was discussed that a budget workshop had been held and a detailed presentation of the budget had been made at that time. Mayor Rosamonda entertained a motion to adopt Resolution No. 03-19. Motion was made by Council Member Allen. Council Member Gunter seconded. The option to enter into a contract for services with the County for parks and recreation services rather than hiring a parks superintendent and parks administrator for the City was discussed; that County staff had prepared a presentation but had not done any follow-up with the City; that other parks maintained by Volusia County were not in prime condition; that the \$407,000 allotted in the budget should be sufficient; and that the County proposal showed that more contract personnel would be available than City staff; that City staff should be adequate if properly managed; that different grass types was being researched for the ball fields at the parks; that there had been issues with the County in the past; and that the City could review the issue again at a later date if necessary. There was further discussion that the budget did not have the County proposal included.

There was further discussion that the budget had been increased for attendance at functions by City Officials; that some events could be attended at the discretion of the Council Members at their own expense; and that attendance at seminars and conferences were educational opportunities that budgeted funds were available for. The motion carried unanimously.

4. Interlocal Agreement between the County of Volusia and City of DeBary for

Provision of Municipal Services for Fiscal Year 2003/2004.

It was discussed that City Attorney Ardaman had reviewed the agreements and they appeared to be in order. City Manager Diamond discussed that staff had reviewed the documents in detail and had compared them to prior years; that the level of service was the same except for the addition by the City Council of a contract employee for right-of-way sign pickup and had reduced the amount of the County contract. Mayor Rosamonda entertained a motion to approve the Interlocal Agreement between the County of Volusia and City of DeBary for Provision of Municipal Services for Fiscal Year 2003/2004. Motion was made by Council Member Allen. Council Member Gunter seconded. The motion carried unanimously.

5. 10 Year Anniversary Celebration Contracts – None.

Vice Mayor Coleman discussed the Volusia Water Alliance; that their budget appeared to be in line with the initial proposals; that a DeBary representative would be needed for the hiring panel for the Water Alliance administrator; and that it was suggested that the City Manager might be the appropriate person.

Council Member Allen discussed that the parks coordinator would be hired; that the position for the planner would be advertised; that the appraisal had been received from Progress Energy on the park property adjacent to Community Park for an additional 17 acres for a 27-acre total site; that the appraisal had been for \$340,000 for that 17 acres, assuming there were no endangered species on the site; and that appraisal would be reduced if there were endangered species.

Council Member Gunter discussed his attendance at the Tri-City Summit; that the consultant's report on a proposed Civic Center had been discussed; that there was not yet a consensus of the type of facility that would be appropriate; that it would be a large project; that the extent of DBCC's participation would determine what the final concept would be; and that DBCC would be making a presentation to the County Council on October 2, 2003 to partner with them.

Council Member Carson discussed that locating additional parcels for park facilities were being researched by City Manager Diamond along with possible sites for City Hall locations.

IV. Adjournment. The meeting adjourned at 7:45 PM.

**APPROVED OCTOBER 1, 2003
CITY OF DeBARY
CITY COUNCIL**

Carmen Rosamonda, Mayor

ATTEST:

Maryann Yaskanich, City Clerk