

**City of DeBary
SPECIAL CITY COUNCIL MEETING**

Wednesday

February 20, 2008

6:00 PM

Florence K. Little Town Hall

12 Colomba Road

DeBary, Florida 32713

MINUTES

I. Call to Order

Mayor Coleman called the meeting to order at 6:00 p.m.

1. Invocation
2. Flag Salute

II. Roll Call

Members Present: Mayor George Coleman, Vice Mayor Christopher Carson (late), Council Member Norman Erickson, Council Member Jack Lenzen, and Council Member Leonard Marks

Others Present: City Manager Maryann Courson, City Clerk Stacy Tebo, Safety Coordinator Alan Williamson, City Attorney Kurt Ardaman and Assistant City Attorney Giffin Chumley

III. Public Participation For Any Issues Not On the Agenda

Mark Meister, 146 Pine Tree Drive, advocated geographical district representation on the Council. He also said that Meadowlea residents should not be assigned to vote at St. Ann's Church because it is the farthest precinct location from the community.

IV. Approval of Minutes

1. Special City Council Meeting held January 23, 2008.

Mayor Coleman entertained a motion for approval. Motion made by Council Member Marks and seconded by Council Member Erickson. The motion passed 4-0.

2. City Council Workshop held February 6, 2008.

Mayor Coleman entertained a motion for approval. Motion made by Council Member Erickson and seconded by Council Member Lenzen. The motion passed 4-0.

3. Regular City Council Meeting held February 6, 2008.

Council Member Erickson noted a correction on page four and moved to approve the minutes with the minor revision. Council Member Marks seconded. The motion passed 4-0.

V. Presentations

None.

VI. 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.*

- *1. Award of RFP #12-07 for Disaster Management: Monitoring and Recovery Services.
- *2. Resolution #08-05 – Amending FY 2007-2008 Annual Operating Budget.

Mayor Coleman requested that item #2 be discussed separately.

Ms. Courson said that the RFP was advertised in the Orlando Sentinel and the News Journal, and that there was a pre-bid meeting. Safety Coordinator Alan Williamson stated that four companies attended the pre-bid meeting, and two of them submitted proposals; that FEMA reimbursement requirements include a FEMA approved debris management plan and a least two pre-qualified standby debris contracts; and that DeBary already has the management plan, but is lacking the standby contracts.

Mayor Coleman entertained a motion for approval of the Disaster Management RFP. Motion made by Council Member Lenzen and seconded by Council Member Erickson. The motion passed unanimously.

Mr. Ardaman read Resolution #08-05 aloud by title.

Ms. Courson explained that the budget amendment is needed because the City would be adding revenue to the City budget. She further clarified that at the time the budget was prepared, there was a movement to opt out of the CDBG program; that the City would be bringing in the CDBG money for handicap improvements at the Nature Park; and that the City received \$12,000 from Florida Gas Transmission for the granting of the easement.

Council Member Erickson moved to approve Resolution #08-05, and Vice Mayor Carson seconded. The motion passed unanimously.

VII. 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. Request for Special Exception from Highbanks Marina to Incorporate New Fire Protection Standards CONTINUED FROM JANUARY 23, 2008.

Ms. Courson stated that she received a request from Mark Watts, representative for Highbanks Marina, and Terry Cumberledge to continue the hearing.

Mark Watts stated that his client's fire expert, Andrew Valente, is out of town; that the draft resolution submitted to him by the City Attorney two weeks prior still contains a few issues that

they need to work through; that the following Monday they would meet with Mr. Langley and Ms. Courson to work through the resolution; and that there is a meeting between Mr. Valente and County Fire Inspector Karen Munson scheduled for the following Tuesday, so it makes sense to continue the hearing until those two meetings have transpired.

Council Member Marks declared his ex-parte communications with Ms. Munson and Ms. Cumberledge.

Mr. Ardaman recommended that the Council continue the hearing to a date and time certain for due process purposes.

Vice Mayor Carson made a motion to continue the hearing to March 10th at 7:00 p.m. Council Member Lenzen seconded. The motion passed unanimously.

VIII. Growth Management and Development Review

None.

IX. Old Business

1. Canvass Carport Violations CONTINUED FROM FEBRUARY 6, 2008.

Assistant City Attorney Giffin Chumley explained various options available to the Council.

Mayor Coleman asked if the Council could regulate the location of the carports. Mr. Ardaman said there are two separate issues, one being the Florida Building Code, and the other being the City's land development code.

Council Member Lenzen voiced concern regarding city staff entering backyards. Council Member Erickson agreed and said that he thought it would be acceptable if the carports were located in the rear or side yards. He added that he would like to see less aggressive enforcement.

Mr. Ardaman noted that the City could be stricter than the Florida Building Code, but not more lenient.

Mayor Coleman asked Mr. Ardaman to prepare an ordinance incorporating the wishes of the Council for consideration at a future meeting.

Council Member Erickson asked if the residents that have removed their canvass coverings could put them back up. Mayor Coleman recommended that they leave them off until the Council makes a formal decision on the matter.

X. New Business

None.

XI. Council Member/Committee/Staff Reports

1. Board / Committee Appointments
Streetscape Committee

Barbara Rutz

Susan Preil

Laura Lee Clark

Vice Mayor Carson

Council Member Erickson

Council Member Lenzen

Special City Council Meeting

February 20, 2008

Page 3

Mac McShea	Council Member Marks
Carole Ollivier	At-Large
Regular Member	Mayor Coleman
Alternate Member	At-Large

Vice Mayor Carson nominated Barbara Rutz. Council Member Erickson nominated Susan Preil. Council Member Lenzen nominated Laura Lee Clark. Council Member Marks nominated Mac McShea.

Council Member Marks moved to approve Carole Ollivier for the At-Large regular position. Council Member Erickson seconded. The motion passed unanimously.

Economic Development Advisory Committee

Don Kitner	Council Member Erickson
Mark Meister	At-Large
Sid Vihlen, Jr.	At-Large
Joe Alemany	Council Member Lenzen
Chris Yacenda	Vice Mayor Carson
Helene Leininger (alt.)	At-Large
Regular Member	Mayor Coleman
Regular Member	Council Member Marks

Council Member Erickson nominated Don Kitner.

Mayor Coleman moved to approve Mark Meister to the regular At-Large position. Vice Mayor Carson seconded. The motion passed unanimously.

Council Member Lenzen nominated Joe Alemany. Vice Mayor Carson nominated Chris Yacenda. Council Member Marks nominated Val Emerson. Mayor Coleman nominated Richard Gunter.

Council Member Marks stated he has a problem with Sid Vihlen and believes it is a conflict of interest for him to sit on the Committee and represent a developer before the Council. Mayor Coleman moved to appoint Helene Leininger to the At-Large alternate position and Sid Vihlen to the At-Large regular position. Vice Mayor Carson seconded. The motion passed 4-1, with Council Member Marks dissenting.

Public Safety Advisory Committee

Regular Member	Council Member Erickson
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Council Member Erickson nominated David Asson.

Mayor Coleman made a motion to approve the remaining nominations not covered by a separate motion. Council Member Erickson seconded. The motion passed unanimously.

2. Member Reports/Communications
 - A. Mayor and Council Members

Council Member Lenzen informed everyone that he attended his first MPO meeting, and the group is very active.

Council Member Marks said that he attended the clubhouse opening at Meadowlea, and it is a very nice facility. He spoke about various meetings he attended over the last month, including a WAV meeting earlier in the day. He stated that the next WAV meeting is scheduled for March 19th.

Council Member Erickson said other city committees/boards would also like to use Roberts Rules of Order. He suggested that the Council consider the idea of water concurrency as discussed by John Likakis at a previous meeting. He asked Mayor Coleman about his Mayor's message in the last newsletter regarding agenda requirements. Mayor Coleman responded that they would try to put all requests on the agenda for Council consideration.

Mayor Coleman stated that the DeBary Bayou project is underway due to FDOT and SJRWMD funding the feasibility study.

B. City Attorney

Mr. Ardaman had nothing to report.

C. City Manager – Discussion of Freedom Festival.

Ms. Courson stated that at the recent West Volusia Summit, they requested that the cities make a determination on funding for the Freedom Festival this summer.

XII. Adjournment. The meeting adjourned at 7:18 p.m.

**APPROVED March 5, 2008
CITY OF DeBARY
CITY COUNCIL**

George Coleman, Mayor

ATTEST:

Stacy Tebo, City Clerk