

City of DeBary
CITY COUNCIL WORKSHOP
Wednesday
June 4, 2008
6:30 PM

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

MINUTES

I. Call to Order

Mayor Coleman called the workshop to order at 6:30 p.m.

II. Discussion Regarding Emergency Management Plan.

Safety Coordinator Alan Williamson briefly explained the City's FEMA approved management plan. He noted that FEMA reimbursement requires a presidential declaration of an emergency. He outlined the standby contracts that the City has to deal with emergencies.

Mr. Williamson stated that Town Hall is the City's Emergency Operation Center (EOC). He explained the communications options available to the City in the event of an emergency. He gave a quick review and tutorial of the 800 MHz radios.

Mr. Williamson noted that the hurricane flipchart, which gives detailed instructions for hurricanes, had been updated and redistributed to all the staff and Council. He reminded the Council not to focus on the black line, but rather the cone of the hurricane.

Council Member Marks asked if plane crashes are covered in the plan. Mr. Williamson responded that there is not anything specific to the situation in the City plan, but the Volusia County Fire and Sheriff Departments would take the lead if that were to occur. Council Member Marks asked if the City has a list of residents with special needs. Mr. Williamson answered that the Health Department provides him with a list, and he contacts those on the list every year to make sure their information is correct.

Mayor Coleman asked if they were hosting National Night Out this year. Mr. Williamson responded that it would be held on August 5th, and they would have various displays in Town Hall relating to public safety.

Ms. Courson commended Mr. Williamson for all the work he has done on the emergency management plan, especially for ensuring that it is FEMA approved for the City to obtain reimbursement.

Mr. Williamson noted that every church in the City has been willing to open their doors as temporary shelters, and he has a list of after-hour contacts in the event that one is needed.

Marlee Grein, 34 Naranja Road, urged the Council to work on keeping the fire trucks in the City instead of them being sent to Blue Springs, as they did during the hurricanes in 2004.

Council Member Erickson asked who the City representative to the County EOC would be in the event of a hurricane. Mr. Williamson said that anyone from the City staff could go, and it would depend on who is available at the time. He explained the representative's responsibilities.

III. Adjournment. The workshop adjourned at 6:57 p.m.

**APPROVED July 16, 2008
CITY OF DeBARY
CITY COUNCIL**

George Coleman, Mayor

ATTEST:

Stacy Tebo, City Clerk

City of DeBary
CITY COUNCIL MEETING
Wednesday
June 4, 2008
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 George Coleman, Vice Mayor Christopher Carson, Council Member Norman Erickson, Council Member Jack Lenzen, and Council Member Leonard Marks

Others Present: City Manager Maryann Courson, City Clerk Stacy Tebo, Finance Administrator Jimmie Seelbinder, and City Attorney Kurt Ardaman

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

John Wilson, 114 Pine Valley Court, spoke about Roberts Rules of Order, and stated that the Council did not follow parliamentary procedure at the May 7th meeting when Council Member Erickson retracted his motion. He recommended that the Council hire a registered parliamentarian to provide training for the Council.

Mark Meister, 146 Pine Tree Drive, stated that Waste Pro should be held accountable for the road problems in Orlandia Heights their trucks have been causing.

IV. Approval of Minutes

None.

V. Presentations

1. Certificate of Appreciation to Neil Coppens for Service on the Citizens Advisory Committee.

Mayor Coleman read aloud the certificate of appreciation and presented it to Mr. Coppens. Mayor Coleman thanked him for his volunteer service to the City.

2. Proclamation Declaring June 7, 2008 as St. Johns River Cleanup Day.

Mayor Coleman read the proclamation aloud and presented it to Tom Carey, with Volusia County Environmental Management.

3. Presentation by Volusia County Supervisor of Elections Ann McFall Regarding Municipal Elections Scheduling.

Ms. McFall briefed the Council on the new elections requirements, which will make it difficult to schedule elections 28 days apart. She explained the 10-day contest of elections and the new law requiring an audit of each election. She said that most cities are looking at two choices; that eleven cities are considering even-numbered years, which would drastically reduce the cost to each city; and that for those cities that do not choose to go to even-numbered year elections, they would probably need to schedule the two elections eight weeks apart.

4. Request from Renee Tallevast for Council Support of River of Lakes Heritage Corridor Scenic Highway.

Ms. Tallevast addressed the Council to explain the purpose of the River of Lakes Heritage Corridor Scenic Highway program and to ask them for support.

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. Approval of Employee Safety Manual.
2. Resolution #08-10, Amending FY 2007-2008 Annual Operating Budget.

Mr. Ardaman read Resolution #08-10 aloud by title. Council Member Marks said he would like to discuss the item separately.

Mayor Coleman asked for approval of the safety manual. Motion made by Council Member Erickson and seconded by Vice Mayor Carson. The motion passed unanimously.

Council Member Marks asked for an explanation of the increase in the building budget. Finance Administrator Jimmie Seelbinder stated that when they prepared the budget last year, they informed the Council that a budget amendment would be required during the year due to the newness of the City's building department. He added that the City had no previous history to estimate the revenues and expenses, because permitting was always done at the County before the City contracted with PDCS.

Vice Mayor Carson moved to approve Resolution #08-10, and Council Member Lenzen 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. Ordinance #02-08 – Second Reading – Rezoning 328.9 Acres on the West Side of Fort Florida Road Approximately One Mile from the Intersection with Barwick Road from A-2 (Rural Agriculture) and RC (Resource Corridor) to RPUD (Residential Planned Unit Development) for Country Estates at River Bend.

Mr. Ardaman read Ordinance #02-08 aloud by title. Ms. Courson stated that the applicants have requested a continuance. Council Member Erickson moved to continue the first reading to July 2, 2008 at 7:00 p.m. Council Member Lenzen seconded. The motion passed unanimously.

2. Ordinance #07-08 – Transmittal Hearing for City of DeBary Comprehensive Plan Evaluation and Appraisal Report.

Mr. Ardaman read Ordinance #07-08 aloud by title.

Mayor Coleman adjourned the Council meeting to convene as the LPA.

Council Member Marks noted some mistakes in the EAR for David Dunne, with GAI Consultants.

Council Member Erickson pointed out a number of inconsistencies in the report, errors in some of the maps, and missing comprehensive plan policies. He questioned why it was being recommended for approval.

Council Member Marks made a motion to deny, and Council Member Erickson seconded. The motion passed unanimously.

Mayor Coleman reconvened the meeting of the City Council.

3. Ordinance No. 20-07 – Adoptive Hearing of Comprehensive Plan Public School Facilities Element.

Mr. Ardaman read Ordinance #20-07 aloud by title.

Council Member Erickson moved to approve Ordinance #20-07, and Council Member Lenzen seconded. The motion passed unanimously.

4. Ordinance #08-08 – First Reading – Charter Amendment for Changes to Election Terms.

Mr. Ardaman read Ordinance #08-08 aloud by title.

Council Member Erickson moved to approve, and Vice Mayor Carson seconded.

Van Conoley, 25 Rosedown Blvd., verified that most of the cities in Volusia County are considering going to even-numbered years. He asked when the term change would take effect if the voters approve the referendum in November. Ms. Tebo answered that those people elected in November would serve four-year terms. Mr. Conoley suggested that a two-year term might be better than a four-year term.

Mark Meister, 146 Pine Tree Drive, said a two-year term would be chaotic, and the referendum is a good idea.

Mayor Coleman asked for a vote on the motion. The motion to approve Ordinance #08-08 passed unanimously.

5. Resolution No. 08-11 – Increase of Non-Ad valorem Assessment for Solid Waste Collection and Disposal.

Mr. Ardaman read Resolution #08-11 aloud by title.

Mitch Watkins, 238 Angeles Road, said less than 25% of the residents in his neighborhood utilize the yard pick up, and he recommends a reduction in service to save money on fuel.

Craig Cooper, 49 Glenview Road, agreed with the reduction in yard waste pickup, and stated that if the truck drivers slowed down, they might be able to conserve fuel.

Council Member Marks stated that he agreed with the idea of reducing the yard waste pickup, especially in the winter.

Tim Dolan, regional manager for Waste Pro, said he would be willing to sit down with staff to discuss reductions or alterations in service. He stated that his request for additional money was based on \$3.00 per gallon for diesel, which has drastically increased in the last six months. He stated that the City's rates are extremely favorable when compared with surrounding jurisdictions.

Council Member Erickson stated that he did not believe the price of gas and inflation is extraordinary and unusual as justification for the contractor petitioning the City for an increase.

Vice Mayor Carson made a motion to approve Resolution #08-11, and Council Member Lenzen seconded. The motion passed 3-2, with Council Member Marks and Council Member Erickson dissenting.

VIII. Growth Management and Development Review

1. Discussion of Outstanding Code Enforcement Liens.

Ms. Courson said that the Code Enforcement Board (CEB) is seeking direction from the City Council on the issue of outstanding CEB liens.

Mr. Ardaman said that each of the liens should be considered on a case-by-case basis, and the Council may not foreclose on a homesteaded property.

There was extensive discussion regarding the issue, and Council Member Lenzen suggested that they only address the properties that are in compliance on a case-by-case basis, addressing two per month. There was consensus from the Council to follow Council Member Lenzen's suggestion.

IX. Old Business

1. Opt Out of Community Development Block Grant Program (CDBG).

Ms. Courson said that since the item was discussed at the previous meeting, she had not received any requests for information from the Council.

Council Member Marks stated that if the City opts out, they are not guaranteed funding, as the City currently is guaranteed with participation in the County program.

Council Member Marks made a motion not to opt out of the program. Council Member Erickson seconded. The motion passed unanimously.

2. Discussion of Two Meetings Per Month.

Council Member Erickson stated that if the City planned for two meetings per month, they could get finished in a timely manner.

Vice Mayor Carson suggested starting the meetings at 6:30 instead of 7:00 to complete the agenda.

Council Member Marks made a motion that they have regularly scheduled meetings on the first and third Wednesday of each month at 7:00 p.m. Council Member Erickson seconded. The motion passed 4-1, with Vice Mayor Carson dissenting.

3. Discussion of Board/ Committee Communications.

Council Member Erickson said that the intent is to establish communication to give the boards and committee direction as needed.

X. New Business

1. Award of Bid #02-08 for Perimeter Fencing at River City Nature Park.

Kevin Hare, GAI Consultants, explained the purposed of the project and the bid process to the Council. He stated that Hill's Fencing was the low bidder, and he recommends that the City award the bid to them. He explained the purpose of the additional gate due to the realignment of the Florida Power & Light fence.

Vice Mayor Carson made a motion to award the bid to Hill's Fencing, including the cost for the additional gate. Council Member Lenzen seconded. The motion passed 4-1, with Council Member Marks dissenting.

2. Award of Bid #03-08 for Bougainvillea/Marsella Capital Improvement Project.

Lynn Gibson, GAI Consultants, informed the Council that construction costs continue to drop, and the bid prices are very favorable for the City. He explained the project and the bid process to the Council. He recommended that the bid be awarded to Barracuda Building Corporation.

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

3. Rob Sullivan Community Park Improvements.

Ms. Courson said that the item was prepared at the request of Council Member Lenzen due to the safety issues at the park and the citizens' continued requests for additional parking. She added that the City has been notified that they may be eligible for a FRDAP \$135,611 matching grant, which would require a 25% match from the City.

Council Member Lenzen said it is very important to get the vehicles off of Highbanks Road and properly parked.

Council Member Marks stated that he approves of the \$77,000 to expand the parking, but does not want to spend more taxpayer money to get the FRDAP grant.

Rick McBride, 340 Burchington Drive and representative of DeBary Little League, said that there is a problem with inadequate parking every day, due to the large number of children registered for park activities. He stated that it is very unsafe for people trying to pull out of the parking lot because the vehicles parked on Highbanks Road block the view.

Dan Green, 520 Snapper Cove Drive and president of DeBary Little League, agreed with Mr. McBride's comments and asked the Council to address the parking issues.

Bob Garcia, 101 Sunrise Boulevard and Chairman of the Public Safety Advisory Committee, stated he has visited the park daily and observed numerous cars parked along Highbanks Road.

Vice Mayor Carson made a motion to approve the bidding of the clearing, construction of the shell parking lot, and seeding/sodding of the open areas, as well as the application for the FRDAP grant. Council Member Lenzen seconded. The motion passed 4-1, with Council Member Marks dissenting.

4. Local Agency Program Certification (LAP) Certification.

Ms. Courson said that due to the late hour, they might want to discuss the item at the next meeting.

XI. Council Member/Committee/Staff Reports

1. Board / Committee Appointments
Code Enforcement Board
Alternate Member Council Member Marks

Council Member Marks made a motion to appoint Nicholas Koval. Council Member Erickson seconded, and the motion passed unanimously.

Volusia County MPO Citizens Advisory Committee

Mayor Coleman said that he had not received any inquiries from citizens interested in serving on the Committee.

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

Council Member Marks said that WAV is still working on their budget. He inquired about the trailers on Don Smith Boulevard. Ms. Courson responded that the matter is scheduled for a hearing at the next Code Enforcement Board meeting. Council Member Marks asked for an update on the prisoner work program as previously brought up by Carole Fucillo-Ollivier. Ms. Courson answered that she pursued it at the staff level, sent multiple emails to the County Manager, and it needs to be elevated to a political level. She added that there are different funding sources in Volusia County than in Collier County.

Council Member Marks asked for the Economic Development Advisory Committee to pursue the brochure that they worked on last year.

Council Member Erickson informed the Council that he attended the first school oversight committee meeting, and most of the discussion centered around the building and closing of schools. He added that they would meet again in September.

Mayor Coleman listed various meetings he attended and noted that they held the dedication ceremony for the historic plaque on June 2nd at the former site of Redman's Barber Shop.

B. City Attorney

Mr. Ardaman had nothing to report.

C. City Manager

Ms. Courson stated that they could discuss the upcoming budget at the next meeting due to the short length of the agenda.

XII. Adjournment The meeting adjourned at 11:00 p.m.

**APPROVED August 6, 2008
CITY OF DeBARY
CITY COUNCIL**

George Coleman, Mayor

ATTEST:

Stacy Tebo, City Clerk