

**City of DeBary
CITY COUNCIL WORKSHOP**

Wednesday

July 2, 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 6:03 p.m.

II. Discussion Regarding Ordinance #02-08 – 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.

Joe Krzys, representative for St. Johns Partners, outlined the original plans for the paving of Fort Florida Road and spoke about the recent suggestion to use open grade paving at the onset of the River Bend development. He added that it would be an opportunity to have Fort Florida Road paved all at one time in the beginning, rather than in phases. He said that everyone is working to find a solution to have the 4100-foot gap paved. He asked the Council for input on the interim solution of the pervious paving, and if the City might consider paying for a portion of the road.

Council Member Lenzen stated that he would like the road to be paved, but would not like to see the interim solution become the permanent road.

Mr. Krzys voiced his willingness to work with the City to get the entire road paved at one time.

Council Member Marks asked if there are other parties involved with the paving of Fort Florida Road. Mr. Krzys noted that he and Steve Costa are still negotiating, and the Riviera Bella development agreement requires them to pave their portion. Ms. Courson clarified that the fourth phase dictates the completion of Riviera Bella's part.

Mayor Coleman asked Mr. Krzys about the installation of water and sewer lines. Mr. Krzys responded that he met with the neighbors to discuss the issue, and the citizens seem more interested in the roads than the sewer; that it appears that sewer is not a big issue with the neighbors; and that their primary concern is water. He suggested one alternative to run the lines from 17-92 to the River Bend property, rather than from the north. He noted that if they did that, they would need to change the PUD.

Mayor Coleman said he wanted both the water and sewer lines installed.

Vice Mayor Carson said he was willing to work with Mr. Krzys on the road situation to find a solution that would benefit everyone.

Mr. Langley said that the franchise fee ordinance requires the City to use the funds for roadway improvements. He asked Mr. Krzys if he had a specific proposal for the City's participation.

Mr. Krzys said if they put in the road up front, the City could repay them over four or five years. Ms. Courson said the City is collecting about \$500,000 per year in franchise fees, and they have been using it for sidewalks and resurfacing.

Council Member Erickson said that the City has been spending \$50,000 per year on grading the road; that the money should be dedicated to alleviating the problem; and the developer is really trying to work with everyone involved.

Ms. Courson said they would work on a proposal prior to the second reading of the ordinance, and they might be able to do the orphan portion in the next fiscal year.

Kathy Krasnoff, 414 River Drive and R-CARD spokesperson, said that the residents are mainly concerned with water, and they are afraid that the sewer connection would be too expensive.

III. Adjournment. The workshop adjourned at 6:56 p.m.

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

George Coleman, Mayor

ATTEST:

Stacy Tebo, City Clerk

City of DeBary
REGULAR CITY COUNCIL MEETING
Wednesday
July 2, 2008
7:00 PM

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

MINUTES

II. Call to Order

Mayor Coleman called the meeting to order at 7:05 p.m.

1. Invocation
2. Flag Salute

III. 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, Assistant City Manager Anthony Gonzalez, City Clerk Stacy Tebo, and City Attorney Kurt Ardaman

III. Public Participation For Any Issues Not On the Agenda

John Wanamaker, 102 James Pond Court, updated the Council on the progress of the construction of the new city hall. He stated that it is scheduled for completion in November. Council Member Lenzen expressed his gratitude to Mr. Wanamaker for volunteering his expertise and asked him to serve as the City's project manager for the remainder of the project. Mr. Wanamaker said he would be happy to provide a monthly update to keep the Council apprised.

Danny Allen, 140 Fort Florida Road, updated the Council on the recent actions of the VGMC.

Lee Harrington, 249 Buena Vista Street, spoke in favor of city zones or districts and asked for clarification on the future of the skateboard park.

Ryan Rinaldo, 161 W. Highbanks Road, spoke against the River Bend project.

IV. Approval of Minutes

1. City Council Workshop held May 7, 2008.

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

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.*

None.

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 CONTINUED FROM JUNE 4, 2008. TO BE CONTINUED TO AUGUST 6, 2008.

Council Member Erickson moved to continue the second reading until August 6th at 7:00 p.m. Council Member Marks seconded. The motion passed unanimously.

2. Ordinance #07-08 – Transmittal Hearing for City of DeBary Comprehensive Plan Evaluation and Appraisal Report CONTINUED FROM JUNE 4, 2008.

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

Mayor Coleman closed the Council meeting and opened the LPA hearing.

Council Member Marks asked Shalene Estes of GAI Consultants to clarify the section involving the public workshops.

Council Member Erickson asked Mr. Ardaman questions regarding wording in the ordinance and suggested minor changes.

Mayor Coleman noted that he did not receive any requests for public input and entertained a motion. Council Member Lenzen made a motion for the LPA to forward Ordinance #07-08 to Council for approval. Council Member Marks seconded, and the motion passed unanimously.

Mayor Coleman closed the LPA and reopened the City Council meeting. Mayor Coleman asked for a motion on the LPA's recommendation. Council Member Marks made a motion to approve Ordinance #07-08, and Council Member Lenzen seconded. The motion passed unanimously.

3. Ordinance #08-08 – Second Reading – Charter Amendment for Changes to Election Terms.

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

Council Member Erickson suggested two changes in the ordinance, and made a motion to strike the second whereas clause on page one. Council Member Lenzen seconded, and the motion passed unanimously.

Council Member Erickson made a motion to strike the third whereas clause on page two. Council Member Lenzen seconded, and the motion passed 4-1, with Vice Mayor Carson dissenting.

Mayor Coleman entertained a motion for approval of Ordinance #08-08 as amended. Motion made by Council Member Erickson and seconded by Council Member Marks. The motion passed unanimously.

4. Ordinance #09-08 – First Reading - Amending Section 5-62(c), of the Land Development Code, Regarding Height of Fences in Residential Districts.

Mr. Ardaman read Ordinance #09-08 aloud by title.

Ms. Courson explained that the ordinance was brought before Council due to numerous requests and complaints by residents on corner lots desiring a six-foot fence in their back yards.

Vice Mayor Carson made a motion to approve the first reading, and Council Member Lenzen seconded. The motion passed unanimously.

5. Resolution #08-12 – Council Support of River of Lakes Heritage Corridor Scenic Highway.

Mr. Ardaman read Resolution #08-12 aloud by title.

Renee Tallevast, with the River of Lakes Heritage Corridor, asked the Council if they had any further questions. She stated that scenic highway designation is all about partnership, and it is important that DeBary has a voice in the process.

Mr. Ardaman suggested that an addition be made at the bottom of the agreement to add “and terminate this agreement”. Mayor Coleman moved to approve the resolution and agreement as amended by Mr. Ardaman, and Vice Mayor Carson seconded. The motion passed unanimously.

Ms. Tallevast asked the Council for an appointment to the CME, and Mayor Coleman agreed to serve as the City’s representative.

VIII. Growth Management and Development Review

1. Final Plat Application for DeBary Corner BPUD.

Ms. Courson stated that the application was withdrawn and should be ready for the next Council meeting.

IX. Old Business

1. Grounds Maintenance Options for 17-92 Medians, Retention Ponds, Highbanks Road and River City Nature Park.

Mr. Gonzalez informed the Council of various options available to them. He stated that the contract with Servello and Sons would expire in October, and they are willing to renew with a one percent increase across the board.

Ms. Courson explained the mowing schedule to the Council and levels of service that could be reduced due to budgetary restrictions.

There was extensive discussion regarding the four options offered by staff.

Council Member Erickson made a motion to re-bid, and Vice Mayor Carson seconded. The motion passed unanimously.

X. New Business

1. Florida League of Cities Voting Delegate – 82nd Annual Conference.

Mayor Coleman said that the annual conference would be held in August, and they need a representative from DeBary to vote. Vice Mayor Carson volunteered to be the delegate, and the other members approved.

XI. Council Member/Committee/Staff Reports

1. Board / Committee Appointments
Code Enforcement Board
Marcia Becker Vice Mayor Carson

Vice Mayor Carson reappointed Marcia Becker to the Code Enforcement Board.

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

Council Member Erickson said he went to the Orlandia Heights meeting. He also brought up the idea of districting the Council and said he would like to discuss it at a future meeting.

Council Member Marks said that he attended the WAV meeting and briefly discussed the recent resolution passed by WAV.

Vice Mayor Carson asked the Council what they are doing with the city manager's evaluation. Ms. Courson said that the contract requires the evaluations to be done in July. Mayor Coleman said that they should be given to the administrative assistant, and then she would merge all the individual scores on a single sheet and provide averages.

Council Member Lenzen informed everyone that at the recent MPO meeting, they discussed Votran reductions in service. He added that Volusia County commented that the cities could contribute funds to cover the shortfall, so that reductions in service would not occur.

Mayor Coleman spoke about budget problems that everyone seems to be experiencing, and said that the school board income has been greatly reduced. He also noted that there is a new principal at DeBary Elementary School.

- B. City Attorney

Mr. Ardaman informed the Council that both he and Mr. Langley would be attending the State municipal attorney meeting in two weeks, and that Giffin Chumley would sit in for them at the next Council meeting.

C. City Manager

Ms. Courson stated that the proposed colors for the new city hall are on display for anyone interested, and she has not heard any objections on the selections.

XII. Adjournment. The meeting adjourned at 9:00 p.m.

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

George Coleman, Mayor

ATTEST:

Stacy Tebo, City Clerk