

**City of DeBary  
SPECIAL CITY COUNCIL MEETING**

**Friday**

**November 21, 2008**

**7:00 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 7:05 p.m.

**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, City Attorney Kurt Ardaman, and Assistant City Attorney Dan Langley

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

None.

**IV. Approval of Minutes**

None.

**V. Additions, Deletions, or Amendments to the Agenda**

**VI. Presentations**

None.

**VII. 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.

**VIII. 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 #11-08 – First Reading – Rezoning Approximately 67.86+/- Acres Of Land Located On The Southeast Corner Of U.S. Highway 17/92 And Dirksen Drive From Empire Cattle Mixed Planned Unit Development

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(MPUD) To DeBary Town Center Mixed Planned Use Development (MPUD).

Mr. Ardaman stated that due to the large number of individuals outside Florence K. Little Town Hall, the noise levels outside the building, and the inability of those outside to hear and participate, he recommended that the Council continue the hearing.

Council Member Erickson asked Mr. Ardaman if the Council could limit the hearing to DeBary residents only. Mr. Ardaman answered that because it is a quasi-judicial proceeding, the Council should allow any and all persons wishing to participate the opportunity.

Council Member Erickson asked Ms. Courson if she could get additional speakers outside the building. Ms. Courson responded that it would require calling in a professional sound technician from New Smyrna Beach, and at such late notice, it would probably be impossible.

Council Member Marks made a motion to postpone the hearing until provisions could be made for everyone present to participate. Mayor Coleman stated that he believed St. Ann's Catholic Church would accommodate a large number of people.

Vice Mayor Carson said he believed the Council should go ahead with the meeting as scheduled.

Council Member Lenzen agreed with Council Member Marks in that they should find a larger facility to hold the hearing, although he was prepared to hear the case. He seconded the motion made by Council Member Marks.

Mayor Coleman called for a vote on the motion. The motion passed 4-1, with Vice Mayor Carson dissenting.

Mr. Ardaman stated that as soon as staff secures a facility, the date and time of the hearing would be advertised in the newspaper, notice letters would be resent to adjoining property owners, and the property would be posted.

**IX. Growth Management and Development Review**

None.

**X. Old Business**

None.

**XI. New Business**

None.

**XII. Council Member/Committee/Staff Reports**

1. Member Reports/Communications
  - A. Mayor and Council Members
  - B. City Attorney
  - C. City Manager

None.

**XIII. Adjournment**

The meeting adjourned at 7:21 p.m.

**APPROVED February 4, 2009  
CITY OF DeBARY  
CITY COUNCIL**

**Bob Garcia, Mayor**

**ATTEST:**

**Stacy Tebo, City Clerk**