



CITY COUNCIL MEETING

August 02, 2023 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

MINUTES

CALL TO ORDER: Mayor Chasez called the meeting to order at 6:30 p.m.

ROLL CALL: Mayor Chasez, Vice-Mayor Butlien, and Council Members Pappalardo, Sell and Stevenson are present.

Others present: Carmen Rosamonda, City Manager; Kurt Ardaman, City Attorney; Steven Bapp, Growth Management Director; Eric Frankton, Information Technology Director; and, Annette Hatch, City Clerk.

PUBLIC PARTICIPATION: For any items **NOT ON THE AGENDA**, citizen comments are limited to three (3) minutes per speaker. For items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

No one addressed Council.

APPROVAL OF MINUTES: Motion by Vice-Mayor Butlien to approve the minutes from the Special City Council Meeting June 21, 2023, Regular City Council Meeting July 5, 2023, and the Special City Council Meeting July 19, 2023. Seconded by Council Member Pappalardo. Motion passed unanimously.

ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA: None.

CONSENT AGENDA:

City Manager requests City Council approve the Interlocal Agreement between the City of DeBary and the City of Orange City for Animal Control Services for a 3-year term, October 1, 2023 through September 30, 2026.

City Manager is requesting City Council approve the renewal of the Team Volusia Cooperative Economic Development Agreement for fiscal year 2023-2024.

City Manager requests City Council approve Amendment No. 1 to Lease Agreement between the City of DeBary and the DeBary Volunteer Fireman's Association, Incorporated, for the property located at 93 S. US. Hwy 17-92, DeBary, FL.

Finance Director is requesting City Council approve the Federally Funded Sub-Award and Grant Agreement for DR – 4680 – Hurricane Nicole.

Motion by Vice-Mayor Butlien to approve the Consent Agenda. Seconded by Council Member Stevenson. Motion passed unanimously.

PUBLIC HEARINGS:

Staff is requesting City Council approve the second reading of Ordinance No. 07-2023, amending the Comprehensive Plan's Future Land Use Map (FLUM) to change the Future Land Use classification of the parcel addressed as 450 South Charles Richard Beall Boulevard (parcel ID # 900400000110) from Commercial/Retail (C/R) and Industrial/Service (I/S) to exclusively I/S.

City Attorney read the Ordinance into the record.

Staff reviewed the Future Land Use Map changes and consistency with the City's Land Development Code.

No one addressed Council.

Motion by Council Member Stevenson to approve the second reading of Ordinance No. 07-2023. Seconded by Council Member Pappalardo. Motion passed unanimously.

Staff is requesting City Council approve the second reading of Ordinance No. 08-2023, amending the Zoning Map to rezone the parcel addressed as 450 South Charles Richard Beall Boulevard (parcel ID # 900400000110) from Shopping Center (B-3) and Light Industrial (I-1) to exclusively I-1. (Quasi-judicial)

Mayor Chasez reviewed the City's Quasi-Judicial process.

City Attorney read the Ordinance into the record.

City Clerk swore in all those who wished to speak.

There was no ex-parte communication to disclose.

Staff reviewed the request and stated the request complies with the City's Corridor Overlay regulations and is consistent with surrounding zoning.

No one addressed Council.

Motion by Vice-Mayor Butlien to approve the second reading of Ordinance No. 08-2023. Seconded by Council Member Stevenson. Motion passed unanimously.

Staff is requesting City Council approve the first reading of Ordinance No.09-2023, amending the Development Agreement (DA) of the DeBary Town Park Transit Oriented Development (TOD) Project to add certain waivers to Exhibit "C", with a proposed amendment by staff. (Quasi-judicial)

City Attorney read the Ordinance into the record.

City Clerk swore in all those who wished to speak.

There was no ex-parte communication to disclose.

Staff reviewed the waivers requested.

Mark Watts, attorney for the applicant, addressed Council.

Jed Moorehead, Project Engineer, addressed Council.

Motion by Vice-Mayor Butlien to approve the first reading of Ordinance No. 09-2023 amending the Development Agreement to DeBary Town Park to allow for the inclusion of specific waivers in Exhibit C. Seconded by Council Member Stevenson. Motion passed unanimously.

Staff is requesting City Council approve the first reading of Ordinance No. 10-2023, amending the Code of Ordinances (the Code) to repeal the requirement for the registration of abandoned property and to add additional clarifications.

City Attorney read the Ordinance into the record.

Staff highlighted the Ordinance changes.

No one addressed Council.

Motion by Council Member Pappalardo to approve the first reading of Ordinance No. 10-2023. Seconded by Council Member Stevenson. Motion passed unanimously.

NEW BUSINESS:

City Manager is requesting City Council approve the first Amendment to the Restated Interlocal Agreement for Provision of Municipal Fire Services by the City of Orange City to the City of DeBary, Florida.

City Manager reviewed the amendments and stated a grant to pay for three years of staffing was pending.

Chief Long addressed Council.

Motion by Vice-Mayor Butlien to approve the first amendment to the Fire Services Agreement. Seconded by Council Member Stevenson. Motion passed unanimously.

City Manager is requesting City Council approve the Whitehouse Contracting, LLC., proposal to construct new sidewalk on the west side of S. Shell Road, between Springview Commerce Drive and the north property line of Discount Propane.

City Manager reviewed the proposal.

No one addressed Council.

Motion by Vice-Mayor Butlien to approve the Whitehouse Contracting, LLC., proposal.
Seconded by Council Member Stevenson. Motion passed 4-1 (Council Member Sell; nay).

COUNCIL MEMBER REPORTS / COMMUNICATIONS:

Member Reports/ Communications:

A. Mayor and Council Members

B. City Manager: City Manager discussed the letter of support received from Volusia County for distribution of funds associated with the County's Edward Byrne Memorial Justice Grant (JAG). Mayor requested and received Council consensus to sign the JAG letter of support for Volusia County (a copy of which is attached to this agenda).

C. City Attorney

DATE OF UPCOMING MEETING / WORKSHOP: Special City Council Meeting August 23, 2023, 6:30 p.m.

ADJOURN: The meeting was adjourned at 7:57 p.m.

APPROVED:

**CITY COUNCIL
CITY OF DEBARY, FLORIDA**

Karen Chasez, Mayor

Annette Hatch, CMC, City Clerk