



City of DeBary, Florida

City Hall

16 Colomba Road

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**City of DeBary
CITY COUNCIL PUBLIC MEETING and EXECUTIVE SESSION and AGENDA
Wednesday
April 1, 2015
City Council Chambers
16 Colomba Road, DeBary, Florida 32713**

AGENDA

6:00 PM

**PUBLIC NOTICE OF PUBLIC MEETING AND ATTORNEY/CLIENT EXECUTIVE
SESSION AND CITY COUNCIL MEETING**

WEDNESDAY, APRIL 1, 2015 AT 6:00 P.M.

Pursuant to Section 286.011(8), Florida Statutes, the City Council of the City of DeBary, Florida, will commence a public meeting and then meet in an Attorney/Client Executive Closed Session to discuss strategy and settlement negotiations related to litigation expenditures in the following case:

Case No.: 6:15-cv-35-Orl-37TBS, Skyway Towers, LLC v. City of DeBary

The Attorney/Client Executive Session is estimated to last thirty (30) minutes and shall only be attended by the following individuals:

Mayor Clint Johnson

Council Member Chris Carson

Council Member Rick Dwyer

Council Member Mike Brady

Vice Mayor Lita Handy-Peters

City Attorneys A. Kurt Ardaman, Esq., Richard S. Geller, Esq. and Michael H. Bowling, Esq.

City Manager Dan Parrott

Court Reporter

CITY COUNCIL MEETING AGENDA FOR EXECUTIVE SESSION

- 1. Call to Order** (A quorum is determined)
- 2. Business**

Request by City Attorney for advice from the City Council concerning litigation and to discuss settlement negotiations and strategy related to litigation expenditures.

Recess public meeting and open closed Executive Attorney-Client Session

3. Reopen Public Meeting for sole purpose of termination of Executive Session

4. City Council Meeting (public meeting)

Discussion and potential action on matters relating to the above case.

6:30 PM

PUBLIC NOTICE OF PUBLIC MEETING AND ATTORNEY/CLIENT EXECUTIVE SESSION AND CITY COUNCIL MEETING

WEDNESDAY, APRIL 1, 2015 AT 6:30 P.M.

Pursuant to Section 286.011(8), Florida Statutes, the City Council of the City of DeBary, Florida, will commence a public meeting and then meet in an Attorney/Client Executive Closed Session to discuss strategy and settlement negotiations related to litigation expenditures in the following case:

Case No.: 2015-10397-CIDL, Glen Abbey Club Homeowners Associations, Inc. and Concerned Residents Opposing Walmart Development, LLC v. City of DeBary and DeBary Real Investment, LLC

The Attorney/Client Executive Session is estimated to last thirty (30) minutes and shall only be attended by the following individuals:

Mayor Clint Johnson
Council Member Chris Carson
Council Member Rick Dwyer
Council Member Mike Brady
Vice Mayor Lita Handy-Peters
City Attorneys A. Kurt Ardaman, Esq. and Daniel W. Langley, Esq.
City Manager Dan Parrott
Court Reporter

CITY COUNCIL MEETING AGENDA FOR EXECUTIVE SESSION

1. **Call to Order** (A quorum is determined)
2. **Business**

Request by City Attorney for advice from the City Council concerning litigation and to discuss settlement negotiations and strategy related to litigation expenditures.

Recess public meeting and open closed Executive Attorney-Client Session

3. Reopen Public Meeting for sole purpose of termination of Executive Session

4. City Council Meeting (public meeting)

Discussion and potential action on matters relating to the above case.

7:00 PM

PUBLIC NOTICE OF PUBLIC MEETING AND ATTORNEY/CLIENT EXECUTIVE SESSION AND CITY COUNCIL MEETING

WEDNESDAY, APRIL 1, 2015 AT 7:00 P.M.

Pursuant to Section 286.011(8), Florida Statutes, the City Council of the City of DeBary, Florida, will commence a public meeting and then meet in an Attorney/Client Executive Closed Session to discuss strategy and settlement negotiations related to litigation expenditures in the following case:

EEOC – Charge of Discrimination, Kassandra Blissett v. City of DeBary

The Attorney/Client Executive Session is estimated to last fifteen (15) minutes and shall only be attended by the following individuals:

Mayor Clint Johnson
Council Member Chris Carson
Council Member Rick Dwyer
Council Member Mike Brady
Vice Mayor Lita Handy-Peters
City Attorneys A. Kurt Ardaman, Esq. and Michael H. Bowling, Esq.
City Manager Dan Parrott
Court Reporter

CITY COUNCIL MEETING AGENDA FOR EXECUTIVE SESSION

1. Call to Order (A quorum is determined)

2. Business

Request by City Attorney for advice from the City Council concerning litigation and to discuss settlement negotiations and strategy related to litigation expenditures.

Recess public meeting and open closed Executive Attorney-Client Session

3. Reopen Public Meeting for sole purpose of termination of Executive Session

4. City Council Meeting (public meeting)

Discussion and potential action on matters relating to the above case.

7:15 PM

PUBLIC NOTICE OF PUBLIC MEETING AND ATTORNEY/CLIENT EXECUTIVE SESSION AND CITY COUNCIL MEETING

WEDNESDAY, APRIL 1, 2015 AT 7:00 P.M.

Pursuant to Section 286.011(8), Florida Statutes, the City Council of the City of DeBary, Florida, will commence a public meeting and then meet in an Attorney/Client Executive Closed Session to discuss strategy and settlement negotiations related to litigation expenditures in the following case:

EEOC – Charge of Discrimination, Stacy Tebo v. City of DeBary

The Attorney/Client Executive Session is estimated to last fifteen (15) minutes and shall only be attended by the following individuals:

Mayor Clint Johnson
Council Member Chris Carson
Council Member Rick Dwyer
Council Member Mike Brady
Vice Mayor Lita Handy-Peters
City Attorneys A. Kurt Ardaman, Esq. and Michael H. Bowling, Esq.
City Manager Dan Parrott
Court Reporter

CITY COUNCIL MEETING AGENDA FOR EXECUTIVE SESSION

1. Call to Order (A quorum is determined)

2. Business

Request by City Attorney for advice from the City Council concerning litigation and to discuss settlement negotiations and strategy related to litigation expenditures.

Recess public meeting and open closed Executive Attorney-Client Session

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4. City Council Meeting (public meeting)

Discussion and potential action on matters relating to the above case.

I. Regular Meeting Call To Order (At 7:30 PM)

1. Invocation
2. Flag Salute

II. Roll Call

III. Committee Reports

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

V. Approval of Minutes

1. [Regular City Council Meeting held March 4, 2015.](#)
2. [City Council Workshop held March 18, 2015.](#)

VI. Additions, Deletions or Amendments to the Agenda

VII. Consent Agenda

None.

VIII. Public Hearings

1. [Ordinance # 01-15 - First Reading and Transmittal Hearing -](#)
AMENDING THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE
ELEMENT TEXT AMENDING COMPREHENSIVE PLAN POLICY 5.406
CONCERNING THE SOUTHEAST MIXED USE AREA (SEMUA) AND
COMPREHENSIVE PLAN POLICY 5.407 CONCERNING THE TOD OVERLAY
DESIGN DISTRICT

2. Ordinance # 02-15 - First Reading - AMENDING CHAPTER 5, ARTICLE VI, CITY OF DEBARY LAND DEVELOPMENT CODE REGARDING REGULATING PLAN, ADMINISTRATIVE PROCEDURES, LAND USE AND BUILDING DENSITY, PERMITTED USES, PROHIBITED USES, BUILDING DESIGN STANDARDS AND SITE DEVELOPMENT STANDARDS FOR THE SOUTHEAST MIXED-USE AREA/TRANSIT ORIENTED DEVELOPMENT (SEMUA/TOD) OVERLAY DISTRICT

Members of the Council should disclose for the record the substance of any ex-parte communication that has occurred before or during the public hearing for the following item:

3. [Special Exception Case # 15-03-SE-SHOTZ – A Special Exception Request to Allow for Outside Service of Alcoholic Beverages and Entertainment on Property Located at 167 S. US Hwy 17-92, DeBary, FL 32713, on the NE Corner of US Hwy 17-92 and Granada Road.](#)

IX. Growth Management & Development Review

None.

X. Old Business

None.

XI. New Business

1. [Fort Florida Roadside Maintenance.](#)
2. [Proposal from Pegasus Engineering for Quarterly Lake Monitoring.](#)
3. [General Stormwater Engineering Services.](#)

XII. Council Member/Staff Reports

1. Board/Committee Appointments
Public Safety Advisory Committee
David Butlien - Vice Mayor Handy-Peters
2. Member Reports/Communications
 - A. Mayor and Council Members
 - B. City Manager
 - C. City Attorney

XIII. Date of Upcoming Meeting and/or Workshop

1. City Council Workshop on April 15, 2015.

2. Regular City Council Meeting on May 6, 2015.

XIV. Adjourment

Please Note: In accordance with Florida Statutes 286.0115: Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based, which such written record is not provided by the City of DeBary.

Help for the hearing impaired is available through the Assistive Living System. Receivers can be obtained at the meeting from the Information Technology Director.

Also, in accordance with Florida Statutes 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 16 Colomba Road, DeBary, Florida 32713, (386) 668-2040, 48 hours in advance of the meeting.