



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### City Commission

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Monday, October 3, 2016

5:30 PM

2nd Floor Conference Room

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#### City Manager's Agenda Review

#### 1. CALL TO ORDER:

Mayor Masiarczyk called the meeting to order at 5:30 p.m.

#### 2. ROLL CALL – CITY CLERK:

#### 3. INVOCATION AND PLEDGE TO THE FLAG:

Mayor Masiarczyk led the Pledge to the Flag.

#### A. Invocation Presented by Vice Mayor Nabicht

#### 4. APPROVAL OF MINUTES & AGENDA:

#### A. Approval of minutes - Regular Commission Meeting of September 19, 2016 - Joyce Raftery, City Clerk (386) 878-8502.

#### 5. PRESENTATIONS/AWARDS/REPORTS:

#### A. Super Star Student of the Month Certificates for September 2016

#### B. Deltona School system update by Superintendent of Volusia County School District, Mr. Tom Russell

#### C. Presentation: Update on the Volusia Transit Connector Study - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Other Priority Objectives. Explore multi-modal transportation opportunities.

#### D. Presentation: The Center at Deltona/New Community Center - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Fiscal Issues - New Community Center; Economic Development - Construct a Senior/Community Center.

**E. Proclamation - Fire Prevention Week October 9-15, 2016**

Vice Mayor Nabicht stated the Deltona Fire Honor Guard will present the colors at the beginning of the meeting.

**6. CITY COMMISSION SPECIAL REPORTS:**

Vice Mayor Nabicht stated he will have a Transportation Planning Organization (TPO) report. Commissioner Herzberg stated she would have a report from the same meeting as Commissioner Honaker from the League of Cities Legislative Meeting regarding issues to be taken to Tallahassee.

**7. PUBLIC FORUM: - Citizen comments limited to items not on the agenda and comments on items listed on the agenda will take place after discussion of each item.**

**CONSENT AGENDA:** The consent agenda contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Commission wish to speak on a consent item, they have the same opportunity.

**8. CONSENT AGENDA:****9. ORDINANCES AND PUBLIC HEARINGS:****A. Public Hearing - Ordinance No. 14-2016, Amending Division 3, "Collection and Use", of Article III, "Stormwater Utility", of Chapter 54, "Special Assessments", of the Code of the City of Deltona, by adding a provisions for stormwater utility fee credits, at second and final reading - Becky Vose, Legal Department (407) 448-0111.****Strategic Goal: Infrastructure**

Mayor Masiarczyk stated he had concerns about the fees being paid for vacant property or large tracts for the next budget year. He is not wanting to slow this item down.

City Manager Shang stated Commissioner Schleicher caught a Scribner's error and the Commission has the corrected ordinance.

There were no other questions or comments on this item.

**10. OLD BUSINESS:**

**A. Contract: Proposed Cardinal Place Senior Apartments - Chris Bowley, AICP, Director, Planning and Development Services, (386) 878-8602.**

**Strategic Goal: Economic Development - Create more diversified and high-quality housing opportunities.**

Mayor Masiarczyk asked Mr. Bowley if there were any changes and Mr. Bowley responded that there were none it is the same as last year. There were no other questions or comments.

**11. NEW BUSINESS:**

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER COMMENTS:**

**14. CITY COMMISSION COMMENTS:**

Commissioner Soukup stated he needed clarification on the policies and procedures regarding Commission Members interrupting one another and Mayor Masiarczyk responded that the Chair can gavel anyone down anyone at any time but, at what level should he gavel someone down. Commissioner Soukup stated like two (2) weeks ago when the City Manager and the City Attorney had their time but, when he went to speak he was interrupted multiple times which was frustrating. He stated next are employees allowed to address Commission Members by their first names and make personal threats and Mayor Masiarczyk responded that comes back on him and he was at a point where he felt that was not an appropriate time to shut someone down as everyone else had been allowed to say what they wanted. Mayor Masiarczyk stated "yes" it was inappropriate and if he had it to do again, he would have gavelled that person down but, he did not know who it was that was speaking. Commissioner Soukup asked about allowing four (4) minutes when in fact some spoke longer and Mayor Masiarczyk responded when you are the Chair and running the meeting you have to use your own judgment. Commissioner Soukup stated all he was looking for was consistency moving forward. Mayor Masiarczyk stated we have Roberts Rules that we follow loosely and we hold speakers to four (4) minutes under Public Participation but, not on discussion and he was just trying to keep the meeting from getting more intense. He stated he probably could have controlled the meeting better and the hardest part of the job is we are charged with making the City look good at all times; there can be differences of opinion but, don't do it in a public setting; it is a call you have to make.

The Commission discussed clarification on when something is on the agenda we have to allow the public to speak, clarification on people addressing Commission Members personally and not the chair, everyone should know that everything is to be addressed to the chair and then be directed to someone, residents not being allowed to attack the Commission Members personally and going through the chair, comments being directed to a certain Commissioner and being directed to address the chair, running the meeting and keeping the meeting flowing, not being able to stifle people as they will get it in

somehow, how that can be handled, if an agenda item is not on the agenda people are not allowed to speak, the procedure for a limit to four (4) minutes under Public Participation but under an agenda item the people are not limited because, you are gathering information with that also being a judgment call, the Commission being able to set the time, public giving misinformation under Public Forum, telling them to get with whoever and needing to respond and correct that misinformation at that time, not letting misinformation hang-out there causing more problems for staff, having the ability to limit the time for the speakers to two (2) minutes if there are a lot of speakers on a topic, limiting the number of speakers, applicants, presenters and representatives for agenda items being different and can speak longer.

Commissioner Honaker brought up an issue regarding restrictions on the current Community Center that will roll-over on November 1, 2016 for another 10 years and the City will not be able to do anything with it. He asked that City Attorney Vose look into this. Mayor Masiarczyk responded that that issue was already being addressed. City Attorney Vose stated she had already drafted a resolution and it is Granicus on its way for the next meeting.

City Manager Shang stated as a reminder that Congressman DeSantis and others will be at the City tomorrow morning. She asked if the West Volusia Summit Meeting scheduled for Saturday, November 19th was okay with everyone and it was determined that four (4) members of the City Commission would attend.

## **15. ADJOURNMENT:**

Mayor Masiarczyk adjourned the meeting at 6:11 p.m.

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Janet Day, Deputy City Clerk