



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, October 17, 2016

5:30 PM

2nd Floor Conference Room

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:

Present: 8 - Commissioner Herzberg
Commissioner Honaker
Commissioner Schleicher
Commissioner Smith
Vice Mayor Nabicht
Mayor Masiarczyk
City Manager Shang
City Attorney Vose

Excused: 1 - Commissioner Soukup

3. INVOCATION AND PLEDGE TO THE FLAG:

Mayor Masiarczyk led the Pledge to the Flag.

A. Silent Invocation Presented by Mayor Masiarczyk.

Mayor Masiarczyk stated he will be doing the Silent Invocation.

4. APPROVAL OF MINUTES & AGENDA:

Mayor Masiarczyk asked if there were any comments on the Approval of the Minutes and there were none.

A. Approval of minutes - Regular Commission Meeting of October 3, 2016 and the Special Commission Meeting of October 5, 2016 - Joyce Raftery, City Clerk (386) 878-8502.

5. PRESENTATIONS/AWARDS/REPORTS:

Mayor Masiarczyk stated the reports are written.

Mayor Masiarczyk stated we also have a special presentation to Gerald Chancellor and he would like to make that presentation after the Proclamation on City Government Week.

There were no other comments.

A. Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Raftery, City Clerk (386) 878-8502.

B. Proclamation - Florida City Government Week

6. CITY COMMISSION SPECIAL REPORTS:

Mayor Masiarczyk asked if anyone had any Special Reports and Commissioner Herzberg responded everything was cancelled.

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. 26-2016, Deltona Free Standing Emergency Room BPUD (RZ16-001), at second and final reading - Chris Bowley, AICP, Planning and Development Services, (386) 878-8602.

Strategic Goal: Economic Development - Focus on Howland Blvd. as the gateway for commercial growth.

Mayor Masiarczyk stated the next item is the Free Standing Emergency Room for final discussion and he asked if there was anything new. Mr. Bowley responded that the applicant did a good job working with the County and they had a peer review consultant look at the Traffic Impact Analysis (TIA) with two (2) access points and everything seems good. Vice Mayor Nabicht questioned if there were any drawings and Mr. Bowley responded there are exhibits attached to the packet with the TIA and the U-turn as well. Mr. Bowley stated he spoke with the County and the peer review consultant and both agree that the methodology the applicant submitted is sound, the numbers look okay, they followed the Transportation Planning Organization's (TPO) methodology and that if

it is warranted in the future for a no U-turn it can be reconsidered but, for now everything looks good. City Attorney Vose stated the big difference was they agreed to the plus intersection which would in almost all instances get rid of the need for a U-turn. Vice Mayor Nabicht stated he still had questions about the single zoning where only looking at a small amount of trips does not trigger any off-site improvements and the roads around there almost being at capacity. He stated if the City was doing an overall Planned Unit Development (PUD) we would be applying zoning classes that take the most intense zoning for each and that would be what the traffic counts would be based on which would possibly trigger off-site road improvements. Mr. Bowley responded that there are a couple of off-site improvements that are taking place; Halifax Crossing is installing a left turn lane heading eastbound from the interstate and are working with the County on a signal improvement there adding a fourth movement at that signal coming in from Halifax Crossing heading southbound leaving that property which provides a straight thru over to Graves Ave plus a left turn eastbound onto Howland. Mayor Masiarczyk asked that the Commission have this discussion downstairs as the public needs to hear this discussion.

There were no other questions or comments.

B. Request for approval of Resolution No. 2016-51, changing the covenants and restrictions as to the Community Center on Lake Monroe by repealing such covenants and restrictions - Becky Vose, Legal Department (407) 448-0111.

Strategic Goal: Economic Development

Mayor Masiarczyk stated this item deals with the covenants placed by Mackle Brothers and the Soccer Club on certain properties and is protection for the City in the future and will set a precedent. He suggested going a step farther and repealing all the covenants on all the properties and that all of the properties are different with different deed restrictions. He added that we should list all the properties under the same blanket and submit them all at the same time to the Deltona Corporation to have the restrictions lifted. City Attorney Vose responded it just so happened this property has to be renewed every 10 years so this will work for now for this property and she reminded the Commission that the deadline to do this is November 1st.

C. Request for approval of Resolution No. 2016-53, a Resolution of the City Commission of the City of Deltona, Florida Waiving Building Permit Fees for Repair of Storm Related Damages until the end of 2016.- Jane K. Shang, City Manager (386) 878-8850.

Strategic Goals: Public Safety.

Mayor Masiarczyk stated the next item pertains to waiving the building permit fees for repairs related to the hurricane until December 31, 2016. City Manager Shang

responded that this is a change to the original 60 days to be consistent with surrounding cities and the County and the date would be easier to remember.

There were no other comments.

D. Request for approval of Resolution No. 2016-54, a Resolution of the City Commission of the City of Deltona, Florida Ratifying Agreement for As Needed Emergency Debris Monitoring Services.- Jane K. Shang, City Manager (386) 878-8850.

Strategic Goals: Public Safety

Mayor Masiarczyk stated this item pertains to debris removal and City Attorney Vose responded this is more of a technicality explaining that shortly after the City entered into an agreement in 2014 the company named Ledos this company was bought by Tetra Tech and the way the agreement was written there is a very strict provision that it cannot be assigned in any way so, for purposes of FEMA reimbursement she does not want an argument about this. City Attorney Vose stated that under Florida law since Tetra Tech acquired Ledos there is not a problem so it is easier to do a resolution to confirm this in an effort to be proactive.

There were no other comments.

10. OLD BUSINESS:

A. Request for approval to award the health insurance to Cigna. - Richard Adams, Human Resources (386) 878-8752.

Strategic Goal: Fiscal Issues

Mayor Masiarczyk stated the next item pertains to health insurance with Cigna. City Manager Shang stated the Cigna Representatives have to leave by 7:30 p.m.; so in the event there are questions she would like to take this item out of order. It was decided to move the two (2) items 10A and B under Old Business to Item 8 Consent.

Mayor Masiarczyk asked Commissioner Schleicher if she was prepared to make her appointment to the Planning & Zoning Board tonight and Commissioner Schleicher responded "yes, she will nominate Jose Irizarry".

There were no other comments.

B. Consideration of Commissioner Schleicher's appointment to the Planning and Zoning Board for the remainder of a term to expire on March 15, 2017 - Joyce Raftery, City Clerk (386) 878-8502.

Strategic Goal: Internal and external communication.**11. NEW BUSINESS:****A. Request for approval of the 2017 holiday meeting schedule - Joyce Raftery, City Clerk's Department (386) 878-8502.**

Mayor Masiarczyk stated the next item is the holiday meeting schedule for 2017 that is done every year and he went over the schedule showing only one (1) Regular Commission Meeting and no workshops in December with the Commission meeting being scheduled for December 12th. He asked if anyone had any issues.

There were no comments or questions.

12. CITY ATTORNEY COMMENTS:**13. CITY MANAGER COMMENTS:**

City Manager Shang stated she will be giving an update on the storm debris removal and also at the direction of the Commission she authorized Waste Pro to have two (2) additional trucks with rear loaders on the street to remove the extra food that did not fit in the bins due to the hurricane. She stated she also waived some of the requirements and that there was also a lot of bulk waste put out on the curb. She stated the cost is about \$20,000 per week; they started on Wednesday so, one (1) week would be tomorrow. She stated her recommendation is with the approval of the Commission to authorize the additional trucks until the end of the month which exceeds her \$25,000 authority and discuss Waste Pro taking items on the curb that do not fit in the bin excluding storm debris.

There were no other comments.

14. CITY COMMISSION COMMENTS:

Commissioner Schleicher asked for clarification on the holiday schedule stating that December 11th is on a Sunday. It was concluded that that the holiday schedule was for 2017 and the date would be Monday, December 12th.

Mayor Masiarczyk stated that at the end of a meeting under Commission Comments he had asked and the Commission had approved the Veterans' Memorial Park getting a tank for display and he did not find that included in the minutes from the meeting. He stated as part of the paperwork a copy of the minutes showing that the City assumes the responsibility as it is a City Park on City land was approved by the Commission must be included so, he will be bringing that up during the meeting. He stated all the other paperwork is done. It was suggested to bring the issue up under City Commission Special Reports so, it will be officially in the minutes.

There were no other comments.

15. ADJOURNMENT:

Mayor Masiarczyk adjourned the meeting at 5:47 p.m.

ATTEST:

Janet Day, Deputy City Clerk