

## AFTER ACTION AGENDA

**REGULAR CITY COMMISSION MEETING  
MONDAY, APRIL 18, 2011  
6:30 P.M.**

**DELTONA COMMISSION CHAMBERS  
2345 PROVIDENCE BLVD.  
DELTONA, FLORIDA**

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### AGENDA

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. SILENT INVOCATION AND PLEDGE TO THE FLAG:
4. APPROVAL OF MINUTES & AGENDA:
  - A. Minutes:

Regular City Commission Meeting – April 4, 2011.

The Commission voted unanimously to adopt the minutes of the Regular City Commission Meeting of April 4, 2011 with a change in language on Page 6 requested by Commissioner Zischkau.
  - B. Additions or Deletions to Agenda.

Commissioner Herzberg requested to add on Item 10-D, Commission e-mail communication.

Ms. Miller requested to table Agenda Item 8-A and to re-schedule for the next Regular Commission Meeting.
5. PRESENTATIONS/AWARDS/REPORTS:
  - A. Proclamation for Arson Awareness Week, May 1-7, 2011.
  - B. Presentation of the William S. Harvey Deltona Scholarship

**Award Certificates.**

- C. Presentation – Quarterly Board Reports of City Advisory Boards/Committees.**
- D. Presentation by the Orlando City Soccer Club.**

**6. PUBLIC FORUM – Citizen Comments for items not on the agenda.  
(4 minute maximum length)**

**CONSENT** All items marked with an \* will be considered by one motion unless removed  
**AGENDA:** from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

**7. CONSENT AGENDA:**

- A. Request for approval to use GSA Schedule pricing from contract #GS07F0399T for the purchase of goods and services related to a 25k VA UPS for the City Server Room.**

*The City currently has smaller UPS units that provide power conditioning and protection for City Hall servers and network equipment in the ITSD server room. With increases in servers and expansion of applications we require a more robust UPS solution that will provide greater electrical efficiency, reduce thermal footprint, increase manageability, and increase application uptime. Recent electrical issues have shown an unreliable power feed throughout City Hall. While this is normally okay for less demanding equipment, IT infrastructure requires more stable power. This UPS will help to condition and provide stable and reliable power to our equipment. This will also allow us to consolidate our UPS's to allow ITSD to manage fewer units.*

*The UPS solution we are looking to purchase includes three options. The first option provides the UPS, the second option provides the services to install the UPS into our power infrastructure, and the third option provides the hardware interface for the UPS into our servers. All three options are needed for a successful UPS reconfiguration. Total cost for all three options is \$30,703.07.*

*Strategic Planning Goals: Reduce equipment loss due to power events, increase manageability of power to our equipment, increase runtime on IT applications during power outages, and consolidate certain individual UPS's to one unit.*

**After discussion, the Commission voted unanimously to piggybacking GSA Contract #GS07F0399T for the purchase of goods and services related to a 25kVA UPS for the City server room at a cost not to exceed \$30,703.07.**

**8. ORDINANCES AND -PUBLIC HEARINGS:**

**A. Public Hearing – Ordinance No. 05-2011, An Ordinance pertaining to Home Occupations, for second and final reading.**

*A request was made for a modification to the City's current home occupation requirements. The request was based upon a perceived loophole in the current provisions which made it difficult for Code Enforcement to determine whether a second home could be used for a home occupation and whether persons appearing to work at the home occupation were employees residing on the premises. The revisions would allow home occupations in the domicile of the person(s) participating in the home occupation.*

*The Planning and Zoning Board recommended approval.*

*Since the first reading, and due to unforeseen circumstances, there was no opportunity to adequately discuss alternate enforcement methods with City staff. With this being the case, it may be advisable to table this final reading until the first meeting in May.*

**This item was pulled from the agenda by the City Manager and has been tabled until the next Regular Commission meeting.**

**B. Ordinance No. 09-2011, Creating a new Article VII, Chapter 2, of the Code of Ordinances, providing for standards of conduct and ethical requirements, for first reading.**

*The Commission requested that I complete for first reading the draft ethics ordinance which was considered at your April 4, 2011 meeting. This draft specifically adds advisory board members to the list of folks to which the prohibitions in Section 2-280 (a) apply. These same members have been added to exemptions in 2-280 (b) & (c). The effective date has been changed to September 1, 2011, which is slightly more than 90 days from the earliest date the Ordinance could be adopted. The date for the establishment of the training program has been set at December 1, 2011 and the date for the completion of the training is scheduled for September 1, 2012.*

**After discussion, the Commission agreed to bring this item back at a future workshop.**

**9. OLD BUSINESS:**

**A. Discussion and direction re: demolition of structure at 3274 Dellbrook Drive.**

*Recently the Commission authorized a contract for the demolition of four unsafe homes in the City. One of those homes is located at 3274 Dellbrook Drive. The*

*home is currently owned by Wells Fargo following a foreclosure. There are currently code enforcement liens against this property totaling \$80,000. Upon completion of the demolition, the demolition cost will also be assessed against the property.*

*Wells Fargo has contacted the City about this issue, and after discussion, may be amenable to deeding the property to the City in return for forgiveness of the liens.*

*If no deal is struck with Wells Fargo, the process continues and will include an attempt to foreclose on the property, which will likely lead to its acquisition. Following the foreclosure, the City would attempt to have a judgment entered against Wells Fargo for any balance due.*

*We have not had the property appraised.*

*At this point, a discussion by the City Commission on this issue is warranted.*

**After discussion, the Commission voted unanimously on the Amended Motion to remove all City liens against the property at 3274 Dellbrook Drive conditioned upon Wells Fargo Bank conveying to the City a feasible title, free of any encumbrances and with an appropriate title insurance policy that meets the requirements of the City Attorney and that Wells Fargo take the responsibility of the demolition.**

#### **10. NEW BUSINESS:**

- Consideration of appointment of two (2) members to the Economic Development Advisory Board (Commissioner Lowry's and Vice Mayor Treusch's appointments).**

*Committee member Dennis Starks term will expire on May 5, 2011 and he does not wish to be re-appointed. Also, Richard Provini has missed three (3) consecutive meetings and per Article IV. Attendance, Section 2, of the By-Laws: "If a member has three (3) unexcused absences, the Advisory Board shall terminate the individual's membership and ask the Economic Development Administrator/Manager/Director to have the appointing Commissioner/Mayor appoint a new member to the Advisory Board."*

*The City has run press releases, posted openings on D-TV, the City's webpage, bulletin boards and advertised in the local newspaper. To date the City has received applications from the following interested individuals: Fernando Bonilla, John Kesler, Franklin Welch and Harry Wilkins.*

**After discussion, the Commission voted to confirm the appointments of the following individuals: Fernando Bonilla for the remainder of the term to expire May 21, 2012 (Commissioner Lowry's appointment) and Harry**

**Wilkins with a term to expire on May 21, 2014 (Vice Mayor Treusch's appointment) to the Economic Development Advisory Board.**

**B. Discussion and direction to staff regarding policy for banners over roads.**

*Years ago, the City allowed for banners across roadways at two locations in the City, on Providence Blvd. near Fire Station #61 and on Deltona Blvd. near the Winn Dixie Plaza. At that time, the City paid an electrical firm with a bucket truck to install the banners. Since that time, after some safety concerns and the associated costs, the City Commission decided not to allow banners across roadways. During the March 8th Commission workshop, the Commission asked for additional information relative to banners over the roads which is provided as follows:*

- *Estimated cost to install banner per location includes (3) employees @ \$20.00 per hour, truck and trailer to haul equipment \$40.00 per hour, high lift \$20.00 per hour. All items at two (2) hours: **\$240.00.***
- *There is no cost to repair existing poles or cables on Deltona and Providence Blvds. as everything is in good shape.*
- *Estimated cost for double-sided banners range from \$475 to \$716 each.*
- *Potential locations in the City to add poles would be Howland Blvd. near Graves Avenue, Saxon Blvd. near I-4, and Providence Blvd. near Eustace Avenue. Adding such poles would require engineered structural specifications for wind load and foundation. Based on previous estimates to have such poles installed before, estimated cost \$4,000 each or \$24,000 for six (6) if all suggested locations were added.*
- *Cost of current portable message boards - \$15,000 each. Smaller message boards are available at \$12,000 each.*

*Staff has drafted the Draft Guidelines for Displaying Banners in the City of Deltona and a Draft Banner Application Form. Staff is suggesting a fee of \$100.00 per banner for installation.*

*Should the Commission decide to add additional pole locations for banners, staff would come back to the Commission with a budget amendment to cover the cost of same.*

**After discussion, the Commission agreed to ask staff to research further and bring back at a later time.**

**C. Discussion re: Proposed Mini-Mall.**

**After discussion, the Commission agreed that the City Attorney needed to look into regulations that included: semi-permanent walls, meeting all fire**

code requirements (include permissible list of uses for the building in question), minimum 3-month term lease for vendors, new merchandise only, and address clarifications needed in City's Code relative to "indoor flea markets".

**D. Discussion re: Commission e-mail communication (request by Commissioner Herzberg)**

After discussion, the Commission voted unanimously to direct the City Manager and staff to research further and bring back a plan that will include the estimated cost of publishing emails online.

**11. CITY COMMISSION COMMENTS:**

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER COMMENTS:**

**14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 878-8100.