



# City of Deltona

## AFTER ACTION AGENDA

**REGULAR CITY COMMISSION MEETING**  
**MONDAY, JULY 6, 2015**  
**6:30 P.M.**

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

### AGENDA

1. **CALL TO ORDER:**
2. **ROLL CALL – CITY CLERK:**
3. **INVOCATION AND PLEDGE TO THE FLAG:**
  - A. **Invocation Presented by Commissioner Soukup – Juan Sali, Family/Youth Pastor, Deltona Alliance Church.**
4. **APPROVAL OF MINUTES & AGENDA:**
  - A. **Approval of Minutes – Regular City Commission Meeting of June 15, 2015 – Joyce Raftery, City Clerk (386) 878-8502.**

[The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of June 15, 2015, as presented.](#)
5. **PRESENTATIONS/AWARDS/REPORTS:**
  - A. **Mayor John C. Masiarczyk, Sr. – Presentation – Commissioner Herzberg Honored with 2015 Home Rule Award.**
6. **CITY COMMISSION SPECIAL REPORTS:**
7. **PUBLIC FORUM – Citizen comments for any items.**  
**(4 minute maximum length per speaker)**

*Mayor*  
John Masiarczyk

*Vice Mayor*  
Nancy Schleicher  
*District 4*

*Commissioners:*

Mitch Honaker  
*District 1*

Diane Smith  
*District 2*

Heidi Herzberg  
*District 3*

Brian Soukup  
*District 5*

Chris Nabicht  
*District 6*

*City Manager*  
Jane K. Shang

**CONSENT** All items marked with an \* will be considered by one motion  
**AGENDA:** unless removed 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.

**8. CONSENT AGENDA:**

- \*A. Request for approval of an easement document for Wes Crile Park sports field lighting as required by Duke Energy, Florida, Inc. – Steve Moore, Parks and Recreation Department (386) 878-8902.**

*The proposed easement is required by Duke Energy, Florida, Inc., (Duke Energy) for the purpose of providing electrical power for the sports field lighting at Wes Crile Park.*

*Staff has met with Duke Energy Senior Engineer, Jeffrey Herring, to evaluate several options for the availability of electrical power. It was determined that setting a pole in the right-of-way and undergrounding cable along a portion of the perimeter of the park was the best option and course of action to follow, thereby saving the City of Deltona a substantial amount of money to provide the same power service.*

*Duke Energy requested the approval and execution of the easement document prior to any commencement of work.*

**After discussion, the Commission voted unanimously to approve the easement document for Wes Crile Park as required by Duke Energy, Florida, Inc.**

- \*B. Request for approval of Eastern Waste Water Treatment Plant, Facility Power Service – Gerald Chancellor, Public Works Department (386) 878-8998.**

*The subject project is under construction and a major component to achieve project completion is to provide power to the site from Florida Power and Light Company (FPL). Power service is not readily available to the site from S.R. 415. Therefore, FPL shall run power from S.R. 415 down 11th Avenue to the entrance of the site. From the entrance of the site power will be extended underground to the point of connection at the transformer outside the maintenance building. FPL requires the granting of an easement for service of power to the site.*

**After discussion, the Commission voted unanimously to approve granting a power easement to Florida Power and Light Company for the provision of electrical services to the Eastern Waste Water Treatment Plant.**

- \*C. Request for approval of Resolution No. 2015-26, Initial Assessment Resolution for the creation of the Oasis Avenue Street Lighting District – Gerald Chancellor, Public Works Department (386) 878-8998.**

*The City has received a petition requesting the creation of a new Street Lighting District for Oasis Avenue. The petition bears eleven (11) signatures representing 51% of the properties within the proposed boundaries. The proposed District will include the installation of five (5) 100 watt roadway/cobrahead street lights on existing overhead distribution poles as well as the installation of three (3) new concrete poles. Twenty-one (21) platted lots of approximately equal size exist within the proposed street lighting district. The estimated annual charge per platted lot for the first year is \$303.26. The estimated annual charge per platted lot for the second and subsequent years is \$36.59. This equates to \$6,368.48 the first year and \$768.48 in subsequent years.*

**After discussion, the Commission voted unanimously to adopt Resolution No. 2015-26, creating the Oasis Avenue Street Lighting District, and to schedule the Public Hearing.**

- \*D. Request for approval of an Interlocal Agreement between the County of Volusia and the City of Deltona to transfer Graves Avenue North to the City of Deltona – Chris Bowley, AICP, Planning and Development Services Department (386) 878-8602.**

*The City of Deltona received a request from the Halifax Crossing BPUD property owner to accept that portion of Graves Avenue, north of Howland Boulevard, identified in the Interlocal Agreement as Graves Avenue North. Graves Avenue North was constructed by Volusia County years ago and terminates within property. The Volusia County Council will vote on July 2, 2015, to vacate their roadway right-of-way (ROW), with City Commission's approval of the Interlocal Agreement. The Interlocal Agreement was created by the County for this purpose and pertains to that area identified in the accompanying legal description. The proposed vacation does not include the County's Deltona North utilities that are within the Graves Avenue North ROW.*

*As proposed, the property owner desires to reconstruct Graves Avenue North and Deltona North utilities in a new alignment to the north, within the Halifax Crossings project to service a 12-lot non-residential subdivision. The newly constructed road is designed to service a medical facility and associated land uses. Upon construction of a newly aligned Graves Avenue North, the property owner will seek vacation of the former alignment and inclusion of that ROW as a minor BPUD amendment.*

**After discussion, the Commission voted unanimously to approve the Interlocal Agreement between the County of Volusia and the City of Deltona to transfer Graves Avenue North to the City of Deltona.**

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

- A. Public Hearing - Ordinance No. 06-2015, Amending Section 6-1, "Hours of Sale," of Chapter 6 "Alcoholic Beverages", of the Code of City of Deltona; making hours of sale consistent throughout the week, at second and final reading - Becky Vose, City Attorney (407) 448-0111 (cell).**

*A the Commission Workshop of May 18, 2015, the City Commission requested that the City Attorney look into and amend this ordinance, which is simply a time change.*

**After discussion, the Commission voted unanimously to adopt Ordinance No. 06-2015, at second and final reading.**

- B. Public Hearing - Ordinance No. 08-2015, creating a new Section 1-17, "Ordinance Review Committee," of Chapter 1, "General Provisions," of the Code of Ordinances of the City of Deltona, at second and final reading - Becky Vose, City Attorney (407) 448-0111 (cell).**

*At the Commission Workshop of May 18, 2015, the City Commission directed the City Attorney to draft an ordinance establishing an Ordinance Review Committee to review and suggest changes to City Ordinances.*

**After discussion, the Commission voted unanimously to adopt Ordinance No. 08-2015, at second and final reading.**

- C. Public Hearing - Ordinance No. 12-2015, creating a new Chapter 55, "Squatters," of the Deltona Code of Ordinances, at second and final reading - Becky Vose, City Attorney (407) 448-0111 (cell).**

*At several meetings in general, the City Commission requested and directed the City Attorney to create a new Chapter 55 of the Deltona Code of Ordinances dealing with the issue of squatters within the City.*

**After discussion, the Commission voted unanimously to adopt Ordinance No. 12-2015, at second and final reading.**

- 10. OLD BUSINESS:** None.
- 11. NEW BUSINESS:** None.
- 12. CITY ATTORNEY COMMENTS:**
- 13. CITY MANAGER COMMENTS:**

- A. Lobbyist Update.**

- 14. CITY COMMISSION COMMENTS:**
- 15. 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, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.