



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, February 1, 2016

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

The meeting was called to order at 6:30 p.m. by Mayor Masiarczyk.

2. ROLL CALL – CITY CLERK:

Present: 9 - Commissioner Herzberg
Commissioner Honaker
Commissioner Schleicher
Commissioner Smith
Commissioner Soukup
Vice Mayor Nabicht
Mayor Masiarczyk
City Manager Shang
City Attorney Vose

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation presented by Commissioner Schleicher - Reverend Caroline Shine, Greater Faith AME Church, Deltona

Invocation was presented by Commissioner Schleicher - Reverend Caroline Shine with Greater Faith AME Church, Deltona.

The National Anthem was sung by Kasia Soto a 9th Grader at Deltona High.

4. APPROVAL OF MINUTES & AGENDA:

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

Motion by Commissioner Herzberg, seconded by Commissioner Schleicher, to approve the minutes of the Regular Commission Meeting of January 19, 2016, as presented. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

5. PRESENTATIONS/AWARDS/REPORTS:

A. Recognition to Pop Warner Lil Scholars West Volusia Wolves Pee Wee Cheer Team

Mayor Masiarczyk and the Commission presented Certificates of Recognition to the Pop Warner Lil Scholars West Volusia Wolves Pee Wee Cheer Team for an impressive season in 2015 while maintaining a GPA of 3.0 or higher.

B. Recognition to Pop Warner Lil Scholars West Volusia Wolves Pee Wee Football Team

Mayor Masiarczyk and the Commission presented Certificates of Recognition to the Pop Warner Lil Scholars West Volusia Wolves Pee Wee Football Team for an impressive season in 2015 while maintaining a 3.0 GPA or higher.

D. Super Star Student of the Month Certificates for January 2016

Mayor Masiarczyk and the Commission presented Certificates of Recognition to the Super Star Students of the month for January, 2016.

Mayor Masiarczyk called for a recess at 6:57 p.m. and reconvened at 6:59 p.m.

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

Mayor Masiarczyk stated that all the Quarterly Board Reports are provided in written format.

6. CITY COMMISSION SPECIAL REPORTS:

Vice Mayor Nabicht stated he was honored by School Superintendent Mr. Russell who asked him to participate in the Pine Ridge High School's Advisory Board for their Health Academy. It is amazing to see what the school is doing with Fish Hospital and the local medical providers in the community. The school also has a program for those students looking to get into the Veterinarian field through Future Farmers of America (FFA).

Mayor Masiarczyk stated on Saturday in the City Hall courtyard there was a Day of Prayer with 40-50 people who were in attendance and Paula Yorker was in charge of the event. He stated that everyone that attended was allowed to pray on whatever subject they wanted to bring up and that they prayed for just about everything in the community.

Mayor Masiarczyk stated Nick Pizza who provides the students who sing the National

Anthem is also very involved in the Deltona Against Bullying program which has branched out and that Mr. Pizza will be putting on another big event this year to raise money for the program and his goal is to have the program in every school in Volusia County. He stated the event will take place at Dewey O. Boster Park on September 10, 2016 and he thanked everyone for supporting the program.

Commissioner Herzberg stated on Wednesday morning she attended Team Volusia's annual meeting along with Economic Development Manager Jerry Mayes and there was discussion about partnering and working together and increasing diversity. She stated on Thursday she attended the first Volusia League of Cities (VLOC) dinner of the year which had approximately 120 attendees and that State Representative Kristin Jacobs was the guest speaker and spoke about the compact initiative and how it works.

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.

a) Jim Pescha, 1120 N. Old Mill Drive, Deltona, was called to speak and he spoke about backyard chickens, the pilot program coming to an end and there being no complaints or issues reported. He requested that the program be placed on an agenda, to make the program permanent by not restricting the number of permits issued and to remove the annual inspection requirement.

Both Vice Mayor Nabicht and Commissioner Schleicher expressed their support to make the program permanent and they thanked Mr. Pescha for his diligence.

Mayor Masiarczyk asked the City Manager to place the item on an agenda.

CONSENT AGENDA: All items marked with an * will be considered by one motion 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:

None.

9. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Ordinance No. 29-2015, Amending the Comprehensive Plan of the City of Deltona, by amending the Capital Improvements Element (CIE); providing for the replacement of the Capital Improvement Project sheets, at second and final reading. - Chris Bowley, Planning and Development Services, (386) 878-8602.**

Strategic Goal: Fiscal Issues; Transportation/CIP.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Vice Mayor Nabicht, seconded by Commissioner Honaker, to adopt Ordinance No. 29-2015, amending the Comprehensive Plan of the City of Deltona, by amending the Capital Improvements Element and providing for the replacement of the Capital Improvement Project sheets, at second and final reading.

City Attorney Vose read the title of Ordinance No. 29-2015.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF DELTONA, BY AMENDING THE CAPITAL IMPROVEMENTS ELEMENT PROVIDING FOR THE REPLACEMENT OF THE CAPITAL IMPROVEMENT PROJECT SHEETS; FINDING CONFORMITY WITH STATE STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Ordinance No. 29-2015 was adopted at 7:16 p.m.

10. OLD BUSINESS:**A. Consideration of Mayor Masiarczyk's appointment to the Planning and Zoning Board - Joyce Raftery, City Clerk (386) 878-8502.****Strategic Goal: Internal and external communication.**

Mayor Masiarczyk stated he would like to appoint Donald Philpitt to the Planning & Zoning Board.

Motion by Commissioner Herzberg, seconded by Vice Mayor Nabicht, to confirm Mayor Masiarczyk's appointment for the remainder of a term to expire on March 15, 2016 to the Planning and Zoning Board. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

11. NEW BUSINESS:

- A. **Request for approval of Resolution No. 2015-49, amending the City Commission Operating Guidelines and Meeting Rules and Procedures - Joyce Raftery, City Clerk (386) 878-8502**

Strategic Goal: Internal and external communication.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Commissioner Schleicher, seconded by Commissioner Honaker, to approve Resolution No. 2015-49 and the revised City Commission Operating Guidelines and Meeting Rules and Procedures, as presented.

Mayor Masiarczyk read the title of Resolution No. 2015-49.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; PROVIDING FOR THE AMENDMENT OF THE CITY COMMISSION'S OPERATING GUIDELINES AND MEETING RULES AND PROCEDURES; PROVIDING AN EFFECTIVE DATE.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Resolution No. 2015-49 was adopted at 7:18 p.m.

12. CITY ATTORNEY COMMENTS:

None.

13. CITY MANAGER COMMENTS:

None.

14. CITY COMMISSION COMMENTS:

a) Commissioner Smith apologized for being unable to attend the Day of Prayer event because she was serving as a judge at Deltona High School for the Health Academy competition. She stated she received a call from Kelley Daly with West Volusia Youth Baseball and that Ms. Daly apologized for not being able to attend the meeting tonight, but she wanted to talk about the upcoming parade. She stated she knows there are policies in place, but she thinks there needs to be a conversation about the league's annual parade, this is about the kids, it is not a fundraising event, it is not a community

organization asking to waive fees, the organization has been in the community for 25 years, and the players are paying more to light the fields (\$5 more per player). The Commission always talks about having more events and if the Commission wants more events then they should back them. She suggested taking another look at the policy and she would hate to see the event cancelled, two (2) weeks before the event. She asked if staff contacted the groups using the fields and notified them that the VCSO's costs were changing or if they find out when they plan an event. Mr. Moore replied the organizations were involved with the changes to the policy and staff spoke with the City Manager who is looking into the situation. She stated there is another parade next month which will be the 50th parade for the Deltona Little League.

Commissioner Honaker agreed with Commissioner Smith's comments, but he stated the fees were set and if the Commission exempts one (1) organization then all the organizations will ask for an exemption.

Commissioner Soukup suggested comping the field usage to the organization.

Vice Mayor Nabicht suggested when the Volusia County Sheriff's Office (VCSO) contract comes up for renewal to add these types of events in the contract.

Commissioner Herzberg stated once the new Community Center is completed, she hopes there is a solidified payment set-up and that it is not as confusing. She stated she would like to see another type of fee structure and that includes concessions. She suggested placing the topic on a workshop because the City needs clear guidelines to include how to deal with the VCSO services.

Commissioner Smith asked if there is any funding in the City's event budget that can pay for the VCSO costs and Commissioner Herzberg suggested having the City Manager look into it.

b) Vice Mayor Nabicht stated most of the Lobbyist's direction in the past has come from the Commission, but staff is engaged in particular fields and belong to certain groups and organizations that make them aware of changing legislation. He stated staff needs to have the ability to bring those changes to the City Manager with their recommendation. He would like to see the City Manager have the latitude to bring those items to the Lobbyist and get more use out of the Lobbyist.

c) Commissioner Schleicher suggested that the Lobbyist keep an eye on the medical marijuana Bill and that the Commission take another look at the ordinance which was prepared by the City Attorney. She stated there has been a request to move the historical facility out of Deltona Economic Development Advisory Board's (DEDAB) realm and she would also like the Commission to engage in a discussion on how to get the original historical items that were in a historical building that is no longer there back into the City's hands. She stated the timing is perfect with Reverend Shine providing the invocation and it being the first day of Black History Month to highlight Bethune-Cookman University and she provided some history on the university.

d) Commissioner Honaker suggested changing the Code Enforcement Department and Code Enforcement Officers to Community Service Department and Community Services Officer. He stated demolition of a blighted property in his district is moving forward, he hopes to have some media coverage and that he will be taking the day off to see the demolition. He stated he will be on vacation next week and will be out of town until February 12th.

e) Commissioner Soukup stated he attended the Ethics Conference and next Thursday at Deltona High at 6:00 p.m. there is a Talent Show and he encouraged everyone to attend. He stated he received some information on the School Board District Cost Differential (DCD) and the amount of money that Volusia County is losing. He stated for every dollar that a citizen pays in taxes to the Volusia County School Board, they receive 97 cents of it, three (3) cents of that dollar is sent to other counties and since 2004 that adds up to \$126 million that has gone out of Volusia County to a different county. He stated he does not understand why everyone is not up in arms over this and he questioned whether there is something, as a Commission, that can be done to fight to keep the full \$1 of citizen's tax money in Volusia County.

Mayor Masiarczyk stated the School Board makes an issue about it every year which the Commission supports and that the Commission can support it through the Lobbyist and a letter of support. He stated the Parent-Teacher Association (PTA) is aware of the issue and provides the information to citizens. He suggested getting a mission statement from the School Board which the Commission can forward to the Lobbyist to support their position.

Commissioner Smith suggested after the Commission approves a letter of support, to also pass a resolution. She stated that several years ago the County Council put aside their legislative platform and supported the School Board trying to get the DCD to change which is an uphill battle, but at the same time Senator Hukill introduced legislation to repeal the DCD.

Commissioner Herzberg stated Senator Hukill and Representative Metz have corresponding Bills up this year. The City of DeLand made it part of its legislative action plan, formalized it and she thinks Deltona needs to do the same. She stated what the Commission needs to do either individually or as a unit, including other cities in the county, is to make the effort and contact Senator Hukill and Representative Metz that they are in support of the Bills. She stated she will talk with the VLOC about the issue, but it is important that State Legislators understand that the community is behind this especially in an election year with Deltona being a huge voting bloc.

Vice Mayor Nabicht asked if the VLOC has the ability to find out if other counties have the same issue and if so, to partner with those other counties and Commissioner Herzberg replied she thought Senator Hudson made mention of that as well.

Commissioner Schleicher stated she forgot to mention something that everyone was very excited about and that was the Bethune-Cookman University Wildcats Marching Band which performed in Deltona. She stated they are the best band in the State of

Florida, if not the Country and they were highlighted in the movie Drumline.

15. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:44 p.m.

John Masiarczyk, Sr., MAYOR

ATTEST:

Joyce Rafferty, CMC, MMC, CITY CLERK