



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, May 16, 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 - Rev. Dr. Mark Winkler from Emmaus Lutheran Church

Commissioner Schleicher introduced Nick Pizza with Pizza Family Ministries who gave the invocation in Reverend Mark Winkler's absence and she led everyone in the pledge to the flag.

The National Anthem was played by Joshua Whittaker a 7th Grader at Heritage Middle School.

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes - Regular Commission Meeting of May 2, 2016 - Joyce Raftery, City Clerk (386) 878-8502.

Motion by Vice Mayor Nabicht, seconded by Commissioner Herzberg, to approve the minutes of the Regular Commission Meeting of May 2, 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. Proclamation - Emergency Medical Services Week

Mayor Masiarczyk and the Commission presented a proclamation for Emergency Medical Services (EMS) Week, May 15-21, 2016 with the theme, "Called to Care" to recognize members of emergency medical services teams who are ready to provide lifesaving care to those in need 24 hours a day, seven days a week.

Introduction of Richard Adams, Director of Human Resources and Chief Frank Snyder, Fire Chief

Item 10-A: City Manager Shang introduced to everyone the new Deltona Fire Chief Frank Snyder.

B. Recognition to Local VCSO Employees for Their Achievements

Mayor Masiarczyk and the Commission presented Certificates of Recognition to the following local Volusia County Sheriff's Office (VCSO) Employees for their achievements: Citizen Observer Volunteer Sonia Cortes, Auxiliary Volunteer Sandra Carlson, Investigator Jayson Paul, Sergeant Karen Pierce, Sergeant Patrick Leahy, Lieutenant Brian Henderson and K9 Deputy Brett Whitson and K9 Endo.

C. Recognitions - A. Commissioner Herzberg for Receiving the 2016 Home Rule Hero Award and B. 1st Annual Economic Development Week.

Mayor Masiarczyk and the Commission recognized Commissioner Herzberg for receiving the 2016 Home Rule Hero Award from the Florida League of Cities.

Mayor Masiarczyk and the Commission recognized the 1st Annual Economic Development Week from May 8th -14th and extended their appreciation to Economic Development Manager, Jerry Mayes, Planning and Development Director, Chris Bowley and the Planning and Development staff for their efforts in generating economic growth, creating better jobs for residents, and facilitating an improved quality of life in our community.

6. CITY COMMISSION SPECIAL REPORTS:

Commissioner Honaker stated Relay For Life was this past Saturday and he explained what the American Cancer Society does, that approximately \$25,000 was raised this year, and that "Team Commish" won Rookie Team of the Year.

Item 10-A: City Manager Shang introduced the new Human Resources Director Richard Adams.

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) Barbara Franklin, Deltona Woman's Club, 2416 India Blvd., Deltona, Spoke about the Deltona Woman's Club's celebrating 50 years in the community, she explained the focus of the organization, and that the organization is having a fundraiser "Make It Yours Treasure Sale" on June 18th between 8:00 a.m. to 4:00 p.m.

b) Gale Barr, 555 Dustin Terrace, Deltona, thanked everyone for helping her with an issue she was having with Brighthouse and she spoke about an article in The West Volusia Beacon regarding unsolicited materials.

c) Larry Kent, 235 River Village Drive, Debarry, requested an extension of the stormwater presentation so that both parties can have the appropriate people present and that he will go through the normal processes to set-up the meeting. He also spoke about being offended about the article in The West Volusia Beacon regarding unsolicited materials, the City's core values and the Vietnam Memorial Wall.

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:

- A. Request for approval of Resolution No. 2016-18, authorizing the Florida Department of Transportation (FDOT Local Agency Program (LAP) Agreement for the Lakeshore Shared-Use Path - Chris Bowley, Planning and Development Services (386) 878-8602.**

Strategic Goal: Fiscal Issues, Transportation.

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

Motion by Commissioner Honaker, seconded by Commissioner Schleicher, to approve Resolution No. 2016-18 authorizing the execution and delivery of the Florida Department of Transportation Local Agency Program agreement.

Mayor Masiarczyk read the title of Resolution No. 2016-18 for the record.

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION OF A LOCAL AGENCY PROGRAM AGREEMENT FOR THE

LAKESHORE SHARED-USE PATH PROJECT.

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. 2016-18 was adopted at 7:10 p.m.

9. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Ordinance No. 09-2015, Amending Section 110-806 of the Land Development Code for Fences, Walls, and Hedges, at second and final reading - Chris Bowley, Planning and Development Services, (386) 878-8602.**

Strategic Goal: Economic Development: Update the Economic Development Plan including the Land Development Code (LDC).

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

Motion by Commissioner Schleicher, seconded by Commissioner Honaker, to adopt Ordinance No. 09-2015, as amended, at second and final reading.

City Attorney Becky Vose read the title of Ordinance No. 09-2015 for the record.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 110-806, "FENCES, WALLS, AND HEDGES," OF ARTICLE VIII, "SUPPLEMENTARY REGULATIONS", OF CHAPTER 110 "ZONING", OF THE LAND DEVELOPMENT CODE OF THE CITY OF DELTONA; PROVIDING FOR AMENDMENTS ADDRESSING STRUCTURAL HEIGHT, DEFINITION, OPACITY, AND PUBLIC SAFETY; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND 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. 09-2015 was adopted at 7:13 p.m.

- B. Public Hearing - Ordinance No. 17-2016, Amending the Firefighters' Pension Plan to Comply with Internal Revenue Code and its Associated Regulations and to add a Share Plan as a requirement of the recently adopted Chapter**

2015-39 Laws of Florida, at second and final reading - Becky Vose, Legal Department - (407) 448-0111.

Strategic Goal: Internal & External Communication - Improve Intergovernmental Coordination

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

Motion by Commissioner Honaker, seconded by Commissioner Schleicher, to approve Ordinance No. 17-2016, amending the Firefighters' Pension Plan to comply with Internal Revenue Code and its associated regulations and to add a Share Plan as a requirement of the recently adopted Chapter 2015-39 Laws of Florida at second and final reading.

City Attorney Becky Vose read the title of Ordinance No. 17-2016 for the record.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CHAPTER 46, ARTICLE II, FIREFIGHTERS' PENSION PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF DELTONA BY AMENDING SECTION 46-26, DEFINITIONS; AMENDING SECTION 46-27, PARTICIPATION - CONDITIONS OF ELIGIBILITY; AMENDING SECTION 46-29, FINANCES AND FUND MANAGEMENT, AMENDING SECTION 46-33, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 46-35, DISABILITY; AMENDING SECTION 46-43, MAXIMUM PENSION; AMENDING SECTION 46-44, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 46-54, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 46-59, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND 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

Ordinance No. 17-2016 was adopted at 7:15 p.m.

C. Request for approval of Resolution No. 2016-23, approval Indicating General Support of a Proposed Volusia Governments' Water Resources Compact - Becky Vose, Legal Department (407) 448-0111.

Strategic Goal: Economic Development

Mayor Masiarczyk opened the public hearing.

- a) Former Commissioner Zischkau, 2760 Pinegrove Avenue, Deltona, spoke about local governments trying to get people off septic tanks and onto sewer, that going from septic tanks to sewer would destroy parts of the City, he gave a brief history regarding the water policy/system, the compact being a bad idea, and his concerns with certain language in the compact.
- b) Cindy Carson, 513 Antelope Drive, Deltona, asked to table the item until seven (7) words are taken out: "septic tank replacements through sewer treatment expansion, legislation, regulations, and administrative policies."
- c) Al Everson, 1033 Blue Horizon Drive, Deltona, spoke about residents not being able to afford to hook to the sewer system, families living "on the brink", his neighbor losing her home due to the cost of her sewer bill and the family is now homeless, septic tanks being an environmentally sound system for getting rid of waste, and he spoke about Jefferson County Alabama being a precautionary tale for Deltona.
- d) Michael Putkowski, 2736 Courtland Blvd., Deltona, stated that going from septic tanks to sewer would be devastating to the City, residents being primarily blue collar workers with the average salaries being below \$50,000 a year, what the change would do to the seniors and he asked the Commission to think about the consequences to the residents before taking any action.

Mayor Masiarczyk closed the public hearing.

Motion by Commissioner Honaker, seconded by Commissioner Herzberg, to approve Resolution No. 2016-23, indicating general support of a proposed Volusia Governments' Water Resources Compact.

Mayor Masiarczyk read the title of Resolution No. 2016-23 for the record.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, INDICATING GENERAL SUPPORT OF A PROPOSED VOLUSIA GOVERNMENTS' WATER RESOURCES COMPACT, AND PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

The motion carried by the following vote:

For: 6 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Vice Mayor Nabicht, and Mayor Masiarczyk

Against: 1 - Commissioner Soukup

Resolution No. 2016-23 was adopted at 7:53 p.m.

- D. Request for approval of Resolution No. 2016-25, declaring certain real property of the City of Deltona as surplus and authorizing the sale or disposal of such property - Becky Vose, Legal Department (407) 448-0111.**

Strategic Goal: Beautification

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 Resolution No. 2016-25 declaring certain real property at 1787 Fort Smith Boulevard as surplus and authorizing the sale or disposal of such property.

Mayor Masiarczyk read the title of Resolution No. 2016-25 for the record.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, DECLARING PROPERTY AT 1787 FORT SMITH BOULEVARD AS SURPLUS AND AUTHORIZING THE SALE OR DISPOSAL OF SUCH PROPERTY; PROVIDING FOR CONFLICT RESOLUTION; AND 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

Resolution No. 2016-25 was adopted at 7:56 p.m.

E. Public Hearing - Resolution No. 2016-24-Final resolution to establish Lake McGarity Special Assessment District - Becky Vose, Legal Department (407) 448-0111.

Strategic Goal: Beautification

Mayor Masiarczyk opened the public hearing.

a) Gary Witzke, 1358 West Portillo Drive, Drive, spoke about water quality, that he believes a new vote is required to use chemicals only, and the plan being changed to add the use of chemicals.

b) Mark Batease, 1881 Merrick Court, Deltona, asked what allowances had been made for Veterans with limited disability, handicapped hardship and how the City will meet these obligations? He stated the concentration of the invasive species is pronounced, but not in all areas of the lake, that where the species is not should be a reserved area and treated as a refurbishment of the lake, it not being reasonable to saturate a health environmentally vibrant part of the lake with poisons and to preserve and protect an area that the drought has kept pure.

c) Larry Kent, 235 River Village Drive, Debary, spoke about opposing the ordinance in

its current form, he gave a brief history about the workshops that have taken place on this item, understanding the need to fix the lake, he suggested to slow down and table the item so staff can do some more research, to only charge those residents on navigable water, and if there is no water behind the houses it does not increase the value of those homes by doing this.

d) Barbi Landt, 1205 Portillo Court, Deltona, read portions of the petition, she stated she submitted a picture of the lake taken by a drone, being unable to use the lake for recreational purposes, it being a tough financial burden for the residents, but it is necessary, everyone agrees the lake needs to be cleaned, and that 10 residents voted “no” and 89 residents voted “yes.”

e) Roger Bennett, 1326 West Portillo Drive, Deltona, spoke in favor of having carp, that he bought his home on the lake so he could fish, wanting to see the lake cleaned up in a reasonable amount of time, that the residents followed the process and want to move forward, the lake levels and vegetation levels, that he hopes by next summer residents will be able to use the lake, and his investment in his boat that he cannot use.

f) Mark Daignault, 1274 West Portillo Drive, Deltona, spoke about family members coming to visit and questioning why the lake cannot be used, the investment in his boat that he cannot use, what the lake looked like 13 years ago, and that the majority of the residents want the lake cleaned up.

g) Michael LaRoe, 978 Rosetta Drive, Deltona, spoke about having two (2) properties on the lake and not being able to use the lake from either location, that the tax accessor lists the properties as “dry lakefront” properties and that he will have to pay the assessment for both properties which he does not like, but he would like to see the lake back.

h) Caz Norwich, 1881 Merrick Court, Deltona, read from an e-mail that she sent to the Commission in April, she questioned how chemicals used on the lake would affect the ecosystem, that her e-mail suggests several different options for distributing the cost among the property owners and she gave examples based on the property’s lake frontage, that each resident does not have equal access to the lake, that the tax benefits those with motorized water vehicles, how the high Volusia County’s tax rate that residents currently pay should go toward the lake clean up and that she is concerned about contamination to the lake from things like boats.

Mayor Masiarczyk closed the public hearing.

Motion by Commissioner Schleicher, seconded by Commissioner Honaker, to adopt Resolution 2016-24, the second and final resolution to establish the Lake McGarity Special Assessment District.

Mayor Masiarczyk read the title of Resolution No. 2016-24 for the record.

A RESOLUTION OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA,
PERTAINING TO A SPECIAL ASSESSMENT DISTRICT FOR AQUATIC WEED

CONTROL OF LAKE McGARITY; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING THE ASSESSMENTS AGAINST THE ASSESSED PROPERTY LOCATED WITHIN THE DISTRICT; APPROVING AND ADOPTING THE FINAL ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

The motion carried by the following vote:

For: 6 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Against: 1 - Commissioner Smith

Resolution No. 2016-24 was adopted at 8:45 p.m.

F. Request for approval of Resolution 2016-16, authorizing the issuance of Capital Improvement Revenue Refunding Bonds Series 2016 - Bob Clinger, Finance (386) 878-8552.

Strategic Goals:

Fiscal Issues/Infrastructure - Transportation CIP program

Fiscal Issues - New Senior Community Center

Mark Galvan with FirstSouthwest gave a brief PowerPoint Presentation to include Capital Improvement Revenue Funding Bonds Series 2016, prior Commission action, the steps completed, the next steps, Capital Improvement Revenue Refunding Bonds Series 2016 and the preliminary timetable.

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

Motion by Vice Mayor Nabicht, seconded by Commissioner Schleicher, to approve Resolution 2016-16 authorizing the issuance of not to exceed \$40,000,000 in aggregate principal amount of Capital Improvement Revenue Refunding Bonds Series 2016 for the purpose of financing and/or reimbursing the design, permitting, acquisition, installation and construction of roadway improvements and a community center, other capital projects and the refunding of all of the City's outstanding Transportation Capital Improvement Bonds, Series 2006, pledging the City's half-cent sales tax revenues, local communications services tax revenues and public utilities and services tax revenues to secure payment of the bonds and covenanting to budget and appropriate non-ad valorem revenues in the amount to pay the Series 2016 Bonds to the extent of any insufficiency in the pledged funds.

Mayor Masiarczyk read the title of Resolution No. 2016-16 for the record.

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$40,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF DELTONA, FLORIDA CAPITAL IMPROVEMENT REVENUE REFUNDING BONDS, SERIES 2016 FOR THE PURPOSE OF FINANCING AND/OR REIMBURSING THE DESIGN, PERMITTING, ACQUISITION, INSTALLATION, CONSTRUCTION AND EQUIPPING OF ROADWAY IMPROVEMENTS AND A COMMUNITY CENTER AND OTHER CAPITAL PROJECTS AS PROVIDED HEREIN AND THE REFUNDING OF ALL OR A PORTION OF THE CITY'S OUTSTANDING TRANSPORTATION CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2006 AS DESCRIBED HEREIN; PLEDGING HALF-CENT SALES TAX REVENUES, LOCAL COMMUNICATIONS SERVICES TAX REVENUES AND PUBLIC UTILITIES AND SERVICES TAX REVENUES TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; COVENANTING TO BUDGET AND APPROPRIATE NON-AD VALOREM REVENUES IN AMOUNTS TO PAY SUCH 2016 BONDS TO THE EXTENT OF ANY INSUFFICIENCY IN THE PLEDGED FUNDS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDERS OF SUCH BONDS; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SUCH BONDS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND 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

Resolution No. 2016-16 was adopted at 9:04 p.m.

- G. Request for approval of Resolution 2016-22 approving the form of documents in relating to the City of Deltona, Florida Capital Improvement Revenue Refunding Bonds, Series 2016 - Bob Clinger, Finance - (386) 878-8552.**

Strategic Goals:

Fiscal Issues/Infrastructure - Transportation CIP program

Fiscal Issues - New Community Center

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

Motion by Commissioner Schleicher, seconded by Commissioner Herzberg, to approve Resolution 2016-22 approving the form of official notice of bond sale and official bid form, approving the form of the continuing disclosure certificate, approving the form of a first

amendment to debt service forward delivery agreement all in regard to the issuance by the City not to exceed \$40,000,000 in aggregate principal amount of City of Deltona, Florida Capital Improvement Revenue Refunding Bonds, Series 2016.

Mayor Masiarczyk read the title of Resolution No. 2016-22 for the record.

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA APPROVING THE FORM OF OFFICIAL NOTICE OF BOND SALE AND OFFICIAL BID FORM, APPROVING THE FORM OF THE PRELIMINARY OFFICIAL STATEMENT, APPROVING THE FORM OF THE CONTINUING DISCLOSURE AGREEMENT, APPROVING THE FORM OF ESCROW DEPOSIT AGREEMENT, APPROVING THE FORM OF A FIRST AMENDMENT TO DEBT SERVICE FORWARD DELIVERY AGREEMENT ALL IN REGARD TO THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$40,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF DELTONA, FLORIDA CAPITAL IMPROVEMENT REVENUE REFUNDING BONDS, SERIES 2016; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND 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

Resolution No. 2016-22 was adopted at 9:06 p.m.

H. Public Hearing - Consideration of Purchase of Casey Property - Jane K. Shang, City Manager - (386) 878-8858.

Strategic Goal: Economic Development. Focus on Howland Blvd. as the Gateway for Commercial Growth.

City Manager Shang gave a brief PowerPoint Presentation to include action item chronology, 9/14/2015 - City Commission Workshop, the City Center overall concept, the City Center limited land alternatives in proximity, the Community Visioning & Strategic Planning Goal, the City of Deltona resulting Strategic Plan, 11/2/15 - City Commission Meeting to start negotiations, 11/2/15 - City Commission public hearing minutes, 1/11/16 - Commission Workshop Minutes, and 2/22/16 - City Commission Workshop potential next steps.

Mayor Masiarczyk opened the public hearing.

a) Dennis Casey, 443 Beloit Avenue, Winter Park, spoke about the history of the City's plans to expand in the area of Howland Blvd. and Interstate 4, he believes the appraisal is flawed because it did not take into consideration the activity that Halifax Health will

bring to the area and the sale of that land, that he will honor a price of \$3.9 million which he believes is a discounted value and is what he offered the property for to the City back in 2009, and that there is another offer which he is not currently entertaining because he is in negotiations with Ms. Shang.

Mayor Masiarczyk closed the public hearing.

Motion by Commissioner Honaker, seconded by Commissioner Soukup, to approve the offer of a contract for purchase and sale of the Casey Property for a purchase price not exceeding \$3.35M, with three contingencies: for an inspection period of 120 days with a provision for a satisfactory subsurface soil investigation with the expense to be shared equally between the City and Mr. Casey; for delivery to Mr. Casey a letter from the City regarding the purchase for income tax purposes; and for disclosure of beneficial interests by property owner, if applicable under F.S. 286.23." The motion carried by the following vote:

For: 5 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Soukup, and Mayor Masiarczyk

Against: 2 - Commissioner Smith, and Vice Mayor Nabicht

10. OLD BUSINESS:

None.

11. NEW BUSINESS:

None,

12. CITY ATTORNEY COMMENTS:

None.

13. CITY MANAGER COMMENTS:

None.

A. Introduction of Richard Adams, Director of Human Resources and Chief Frank Snyder, Fire Chief

14. CITY COMMISSION COMMENTS:

a) Commissioner Soukup stated two (2) of Deltona's Fireman who coach baseball at Trinity made it to the Final Four again this year, Trinity has one (1) of the best baseball programs in the State and he would like to recognize the team.

b) Commissioner Herzberg thanked everyone who participated and supported in Relay

For Life and she reminded everyone that on Tuesday in the Commission Chambers at 5:30 p.m. there will be a Trap, Neuter and Release meeting for anyone interested in attending.

c) Commissioner Honaker stated echoed Commissioner Herzberg's comments regarding Relay For Life.

d) Commissioner Schleicher thanked Commissioner Honaker for his work on Relay For Life and she reminded everyone of the local schools' award ceremonies that takes place at the schools, the Health Expo that will be in the Commission Chambers on Saturday from 10:00 a.m. to 2:00 p.m. and Spruce Up which takes place on Saturday from 8:00 a.m. to 4:00 p.m. and on Sunday from 8:00 a.m. to 2:00 p.m. at 2391 Day Road.

e) Commissioner Smith stated at the last Regular Commission Meeting the Commission tabled the item regarding unsolicited materials for six (6) months and she requested an update in three (3) months.

City Manager Shang stated she has already had the initial meeting, she has a commitment and may be able to provide a status report in 30 to 60 days to the Commission.

Commissioner Smith stated she is working with a young lady from Galaxy Middle school on a class project to collect gently used clothing for her peers at Galaxy, the collection bin is in the lobby of City Hall and will be there till the end of May for anyone who would like to donate. She stated the schools have adopted a uniform policy for next year of collared shirts and she provided some details of the uniform policy.

15. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:41 p.m.

John C. Masiarczyk, Sr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK