



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, June 20, 2016

5:30 PM

2nd Floor Conference Room

City Manager's Agenda Review Meeting

1. CALL TO ORDER:

Mayor Masiarczyk called the meeting to order at 5:30 P.M.

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:

Mayor Masiarczyk lead the Pledge to the Flag.

A. Invocation Presented by Vice Mayor Nabicht - Dave Brannon, Deltona Alliance Christian Church

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes - Regular Commission Meeting of May 16, 2016 - Joyce Raftery, City Clerk (386) 878-8502.

5. PRESENTATIONS/AWARDS/REPORTS:

A. Florida Hospital Fish Memorial recognized the Johanna Knox Award for Community Service Excellence winners on April 28th. Two of the three recipients were from Deltona. Aysha Benjamin won the Chrysalis Youth Award and The Community Life Center Outreach Services won the Flutter Award.

- B. Super Star Student of the Month Certificates for May 2016**
- C. FY 2014 / 2015 Annual Audit Presentation: Comprehensive Annual Financial Report for the Year Ended September 30, 2015 - Audit Team from Purvis Gray and Company - Robert Clinger, Finance Department - (386) 878-8552.**

Strategic Goal: Fiscal Issues - Maintain current fiscal stability, maximize alternative funding sources and promote an effective system of checks and balances

6. CITY COMMISSION SPECIAL REPORTS:

Commissioner Herzberg will report on the River of Lakes kiask that will be dedicated to Gary Baylor Friday morning at Gemini Springs.

- 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. 05-2016, amending Chapter 2, "Administration", by the addition of a new article 10, "Bidding Preference for Local Vendors", at first reading and to schedule second and final reading for July 5, 2016. - Becky Vose, Legal Department (407) 448-0111.**

Strategic Goal: Economic Development

Vice Mayor Nabicht asked if everyone received the electronic revision of the ordinance that City Attorney Vose drew up and Commissioner Smith responded it was not marked with the changes. He stated he met with City Manager Shang and he had asked her to send it out. He stated what he had asked for was a tiered approach instead of the only people receiving preference would be from Deltona. He stated the proposed language that City Attorney Vose added was if there was not anyone in Deltona then it would move to Volusia County and then to the State of Florida and he thinks it makes sense.

The Commission discussed there not being a lot of vendors in Deltona that would benefit from this, concerns about the quality of work by giving a project to someone local

who does not have experience, concerns with allowing vendors see the other bids and having a chance to match that bid unless the bid is within a certain percentage, believing if a vendor was within 5% and they were local they would get the bid, the need to have examples why it would or would not work, concerns with showing the bids that are secret bids, low bids not matching the service requested, there being a committee that looks at who meets the criteria, scope of work and is qualified before accepting the bid, the City only looking at the dollar amount and not the quality of work, concerns that some will not bid and losing the opportunity of having someone bid on projects because the City is letting vendors match low bids and the system being fair.

City Attorney Vose clarified that there are actually four (4) tiers: locally headquartered business, local business that is headquartered somewhere else noting that if one (1) of these two (2) are the low bid it does not go to the County or State, but if the low bid is someone other than a local business and none of those meet the bid then it would go to the County if it is within 10% and then the State if it is within 5%.

Commissioner Smith pointed out that when she was on the School Board they never adopted this because the local businesses were not competitive and this issue came to the School Board several times and Commissioner Soukup used the University High School project as an example of how a bid can end up costing more, the bid going to a vendor outside the area and the vendor going out of business when someone locally was able to do the job.

Vice Mayor Nabicht asked if everyone was in agreement to introduce this as the ordinance and Mayor Masiarczyk responded Vice Mayor Nabicht can ask to amend the ordinance at the Regular Commission Meeting.

B. Public Hearing - Ordinance No. 16-2016, amending Sec. 38-116, "Notice to Correct Violation" providing for 24 hour posting before abatement of repeat nuisance, at first reading and to schedule second and final reading for July 5, 2016 - Becky Vose, Legal Department (407) 448-0111.

Strategic Goal: Beautification.

Commissioner Soukup asked for clarification that a resident gets written up for a violation and seven (7) days later the resident is in the same situation, Code Enforcement goes back and the resident has 24 hours to comply and Mr. Baker responded "yes" and after 12 months it starts all over again.

Mayor Masiarczyk asked what happens if there is nobody there and Mr. Baker responded the property is posted and abated.

C. Public Hearing - Ordinance No. 12-2016, Comprehensive Plan Amendment adding Tivoli Drive between Saxon Blvd. and Providence Blvd., to the City's Thoroughfare Map, at first reading - Chris Bowley, Planning and

Development Services, (386) 878-8602.**Strategic Goal: Fiscal Issues: Transportation/CIP (i.e. Tivoli Drive Expansion).**

Vice Mayor Nabicht asked to just clarify that this is just to get money from the Transportation Planning Organization (TPO) and gets Tivoli Drive on the thoroughfare map.

- D. **Public Hearing - Ordinance No. 25-2016, Amending Section 18-103, relating to demolition of structures, by allowing a structure that is to be demolished to be utilized before demolition as the site of Deltona Fire Department and Volusia County Sheriff's Office training, at first reading and to schedule second and final reading for July 5, 2016 - Becky Vose, Legal Department (407) 448-0111.**

Strategic Goal: Beautification and Public Safety

There were no comments.

- E. **Public Hearing - Resolution 2016-03, Adoption of a Program for a Public Information Plan for the National Flood Insurance Program Community Rating System - Chris Bowley, Director, Planning and Development Services (386) 878-8602.**

Strategic Plan: Internal and External Communication.

Commissioner Schleicher asked to clarify how the table works and Mr. Bowley responded the first step is to get the Community Rating Service with the Federal Emergency Management Agency (FEMA), the second step is to work on the index ratings that includes public outreach, discouraging building permits within the 100 year flood plain, newsletters with each of these the City gets credited with points; and everybody starts out at a nine (9) and works their way down. He gave an example that Volusia County is at a five (5) because they host the local mitigation plan, they have a group that meets over at the beach every month so they get points for that and the City is working towards and he explained that the lower the rating the lower the insurance cost for the residents. He stated it takes years to get to the lower rating, but this is a strategy and effort the City is taking.

- F. **Public Hearing - Resolution No. 2016-20: Variance Request for a Fence along the Side Street Yard Property Line, located at 1690 Panama Ct. - Chris Bowley, Director, Planning and Development Services (386) 878-8602.**

Strategic Goal: Public Safety.

Mayor Masiarczyk asked where the fence was to be built and Mr. Bowley responded it will be on the Saxon Blvd. side of the property. Mayor Masiarczyk asked if Saxon Blvd. was a main thoroughfare and Mr. Bowley responded it is not as it is south of Doyle Rd. and is not a problem. Mr. Bowley stated the resident is getting a lot of cut through traffic from the nearby trail, an alley and a commercial property and it is a hardship on the resident. He suggested in the future the ordinance should be looked at because he gets a lot of these requests for variances and they really should not be coming to the Commission.

Commissioner Smith asked why Planning and Zoning (P&Z) did not approve it Mr. Bowley responded that P&Z did not see it as a real hardship for the property owner if the fence was put along the setback line. He explained the property owner wanted to bring the fence out to the property line to keep people from cutting through the property and the property owners showed pictures of paths from the foot traffic from the commercial property. He added this issue was not addressed by the Ordinance Review Committee (ORC), it is in a semi-rural area and it is site specific.

G. Public Hearing - Resolution No. 2016-21: Variance Request for a Fence along the Side Street Yard Property Line. Chris Bowley, Director of Planning and Development Services (386) 878-8602.

Strategic Goal: Public Safety

There were no comments.

H. Request for approval of Resolution 2016-26 authorizing a budget amendment for FY 2015/2016 in the Municipal Complex Fund for \$155,000 in order to replace the chiller, balance the HVAC system and upgrade to a web-based HVAC graphic system at City Hall. - Robert Clinger - Finance - (386) 878-8552.

Strategic goal: Economic Development - Promote customer service environment

City Manager Shang explained she will be asking for an amendment because she will need to increase the price due to having to install a temporary unit and to shorten the time on the rental cost. She stated the new unit will be larger and will be more fiscally prudent because it will have more capacity, will have protection from lightning and will only be a net increase when the rental cost is compared of \$5,000. She stated the amendment will be for \$172,000 instead of \$155,000.

10. OLD BUSINESS:

11. NEW BUSINESS:

- A. **Appointment of Vice Mayor Nabicht as the City representative on the River to Sea Transportation Planning Organization (TPO) Board as a Voting Member - Chris Bowley, AICP, Planning & Development Services Director (386) 878-8602.**

Strategic Goal: Fiscal Issues, Transportation/CIP.

There were no comments.

- B. **Appointment of four (4) Members to the Affordable Housing Advisory Committee - Joyce Raftery, City Clerk's Office, 386-878-8502.**

Strategic Goal: Internal and External Communication.

Commissioner Soukup asked Mr. Bowley to clarify what they should be looking for and Mr. Bowley responded that this committee is by State Statute and the idea of the committee is to get a cross section of the community that represents a segment. Mr. Bowley stated it is sometimes hard to fill all of them so staff tries to fill the positions with the most qualified applicant and the recommendations are listed for slots (a) and (j).

12. CITY ATTORNEY COMMENTS:

13. CITY MANAGER COMMENTS:

- A. **Discussion regarding the Casey Property.**

There were no comments.

14. CITY COMMISSION COMMENTS:

15. ADJOURNMENT:

Mayor Masiarczyk adjourned the meeting at 6:07 P.M.

Janet Day, Deputy City Clerk