



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Tuesday, July 5, 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: 6 - Commissioner Herzberg
Commissioner Schleicher
Vice Mayor Nabicht
Mayor Masiarczyk
City Manager Shang
City Attorney Vose

Absent: 3 - Commissioner Honaker
Commissioner Smith
Commissioner Soukup

3. INVOCATION AND PLEDGE TO THE FLAG:

Mayor Masiarczyk lead the Pledge to the Flag.

A. Silent Invocation Presented by Mayor Masiarczyk

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes - Regular Commission Meeting of June 20, 2016 - Joyce Raftery, City Clerk (386) 878-8502.

5. PRESENTATIONS/AWARDS/REPORTS:

6. CITY COMMISSION SPECIAL REPORTS:

Vice Mayor Nabicht stated he would have a report from the Transportation Planning Authority. City Manager Shang stated the report is good because last year there were no City projects in the queue and this year there are a number of the City's projects on the list.

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 second and final reading. - Becky Vose, Legal Department (407) 448-0111.

Strategic Goal: Economic Development

Mayor Masiarczyk asked if everyone had read the Local Preference Ordinance and Mrs. Vose responded that she had made some changes to the proposed ordinance. Mrs. Vose stated she sent out the changes however it does not address Mayor Masiarczyk's concern. She handed out copies of the revised ordinance and she went over the changes. She stated she received a suggestion that relates to the time line in that it did not have how long the vendor had to do the second bid and she added a time of five (5) days. She stated another change is if something is within the City Manager's \$25,000 limit and the City Manager does not give the local preference she is required to have written justification and she has to notify the City Commission. She stated also rather than saying the City is preserving the City's right to make decisions on who is awarded a bid is based upon the terms "character and fitness" has been replaced with "reputation in the community and prior performance" which are more defensible terms.

Commissioner Herzberg asked to clarify that "piggybacking" on a State or County contract is not affected in case someone questions why local preference was not used. Mrs. Vose explained the reason it does not apply is it is under a competitive bid solicitation and "piggyback" is not a competitive bid solicitation and neither is a "sole source" contract. Commissioner Herzberg questioned the use of the word "may" and Mrs. Vose explained if the City uses the word "may" to do something when it has to do with bids that puts discretion in and the City must have standards for that discretion; when it applies and when does it not so that is why "shall" is used. Commissioner Herzberg stated she also had concerns about the definition of a local business "physical address" and Mrs. Vose responded that the ordinance specifically says Post Office boxes are not verifiable and can not be used for purposes of establishing a physical address.

There was no other discussion on this item.

- 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 second and final reading - Becky Vose, Legal Department (407) 448-0111.**

Strategic Goal: Beautification.

Mayor Masiarczyk stated the only question he had was to clarify this was for a repeat offender and the property owner will be fined and City Manager Shang responded "yes".

There was no other discussion on this item.

- C. 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 second and final reading - Becky Vose, Legal Department (407) 448-0111.**

Strategic Goal: Beautification and Public Safety

There was no discussion on this item.

- D. Public Hearing - Resolution No. 2016-27, Establishing the Preliminary Annual Rate Resolution - Stormwater Services for FY 2016/2017 - Robert Clinger, Finance Department (386) 878-8552.**

Mayor Masiarczyk stated he received a question from a resident asking how the City decides the amount of money needed for setting the rate and he explained the rate does not change but the money is used for projects that are preventative in nature. He stated the resident also asked what if the City stops a couple of projects would the rate be lowered and Mayor Masiarczyk responded in theory "yes" but the Commission would have to approve that. He stated he is not in favor of reducing the rate and it is not in the City's best interest to do that as the storm water rate is collected for projects that eliminate potential problems.

There was no other discussion on this item.

- E. Public Hearing - Resolution No. 2016-28, Establishing the Preliminary Annual Rate of Assessment for Solid Waste Services for FY 2016/2017 - Robert Clinger, Finance Department (386) 878-8552.**

There was no discussion on this item.

- F. Public Hearing - Resolution No. 2016-29, Establishing the Preliminary**

Annual Rate Resolution - Streetlighting Services for FY 2016/2017 - Robert Clinger, Finance Department (386) 878-8552.

There was no discussion on this item.

10. OLD BUSINESS:

11. NEW BUSINESS:

12. CITY ATTORNEY COMMENTS:

13. CITY MANAGER COMMENTS:

14. CITY COMMISSION COMMENTS:

Commissioner Schleicher commented on the Volusia County adopted ordinance allowing a deputy the option to write a ticket for anyone who is caught with 20 grams or less of cannabis instead of arresting that person and that only covers the unincorporated area of Volusia County which is pretty much all around the City of Deltona. She asked should the City of Deltona adopt an ordinance for uniformity and Mayor Masiarczyk responded can the City just copy the Volusia County ordinance and he asked if any other city has done this and Mr. Baker responded the City of Daytona has. Mayor Masiarczyk suggested that staff get a copy of the ordinances and he asked that Commissioner Schleicher to bring this topic up under New Business.

Commissioner Herzberg asked to bring up the topic of communication like with the garbage where some people did not get the information about the change in the pickup schedule for the holiday. She stated when Volusia County and the School Board have issues they utilize the Reverse 911 system or robo calling system and she asked what would the City be looking at to do something like that. Mayor Masiarczyk stated he is very reluctant to use the Reverse 911 system for anything other than an emergency and most people do not answer; they look at the caller ID and wait for a statement. He added the City has always talked about signage and the City has signs but, the messages need to be changed more often and he referred to the signs that Mr. Larry Kent has. He suggested a message like "Happy 4th of July and remember trash will be picked up one (1) day later" could be put on the signs and the City may have to someday go to digital signs.

There was no other discussion.

15. ADJOURNMENT:

Mayor Masiarczyk adjourned the meeting at 5:51 p.m.

Janet Day, Deputy City Clerk