

**CITY OF DELTONA, FLORIDA
AGENDA REVIEW MEETING
MONDAY, JUNE 15, 2015**

1 An Agenda Review Meeting of the Deltona City Commission was held on Monday, June 15, 2015 at
2 the City Hall in the 2nd Floor Conference Room, 2345 Providence Boulevard, Deltona, Florida.

3
4 **1. CALL TO ORDER:**

5
6 The meeting was called to order at 5:30 p.m. by Mayor Masiarczyk.

7
8 **2. ROLL CALL:**

9
10 Mayor John Masiarczyk Present
11 Vice Mayor Nancy Schleicher Present
12 Commissioner Heidi Herzberg Present
13 Commissioner Mitch Honaker Present
14 Commissioner Chris Nabicht Present
15 Commissioner Diane Smith Present
16 Commissioner Brian Soukup Absent (Excused)
17 City Manager Jane K. Shang Present
18 City Attorney Becky Vose Present
19 Deputy City Clerk Janet Day Present
20

21 Also present: Deputy City Manager Dale Baker; Planning and Development Services Director Chris
22 Bowley; Public Works/Deltona Water Director Gerald Chancellor and Finance Director Bob
23 Clinger.

24
25 **3. PLEDGE TO THE FLAG:**

26
27 The pledge to the flag was led by Mayor Masiarczyk. He stated Sunday was Flag Day and 150 flags
28 were retired bringing the number to about 1,200 flags since Fire Chief Rodgers installed the flag box
29 at the Veterans Memorial Park.

30
31 **4. ORDINANCES AND PUBLIC HEARINGS:**

32
33 Ms. Shang listed and gave an overview of each of the resolutions and ordinances and she asked if there
34 were any questions.

35
36 **A. Resolution No. 2015-15, Establishing Preliminary Annual Assessment Rate – Stormwater**
37 **Utility Services for FY 15/16 – Robert Clinger, Finance Department (386) 878-8552.**

38
39 Ms. Shang stated the Stormwater Utility Rate is set at \$108.00 which is up from \$76.11.

40
41 Commissioner Nabicht stated the only concern he had was the variance that is allowed and he had asked
42 Ms. Shang to get some estimates from the Finance staff of what that would potentially cost if enough
43 places file for the variance. He stated he understood that Finance staff believed it would not be that
44 much but, he would like to see the estimated numbers before the second reading of the resolution.

45
46 The Commission discussed whether the rate could be raised at a later time, the set amount of \$108.00
47 being the cap, looking at additional adjustments, concerns that the \$108.00 fee will not be enough,
48 having to postpone projects if the amount of the adjustments are significant, the fee being set each year
49 and the exemption of some properties such as schools and hospitals.

1
2 Mr. Chancellor stated the way the credits work is the largest credits are for developed commercial
3 properties or undeveloped properties where the developed properties produce a copy of a stormwater
4 permit or stormwater management permit and depending on the circumstances the property owners can
5 qualify for a 30% - 40% credit. He stated in the last seven (7) years he believes the City has done less
6 than 12 credits total with the largest one (1) being for the Walmart for several thousand dollars but, with
7 the commercial property in the City the credits may range from a few \$100 to \$1,000 each with the 30%
8 - 40% reduction. He stated there is an exemption for large tracts for example a tract of 60 acres of
9 vacant residential and each one (1) is evaluated on a case by case basis.

10
11 Vice Mayor Schleicher asked if the Country Club pays the assessment for stormwater and Mr.
12 Chancellor replied “yes” and no credit has been applied for.

13
14 Commissioner Herzberg asked for a copy of the resolution or ordinance that allows the exemption, if
15 this is standard practice, when was it passed and do any other cities allow credits. Mr. Chancellor
16 replied the ordinance was passed in 2008 and the only city that does not allow credits is Orange City,
17 however, Orange City is just starting to set up a stormwater utility and assessment.

18
19 **B. Resolution No. 2015-16, Establishing the Preliminary Annual Rate Resolution – Solid**
20 **Waste Services for FY 15/16 – Robert Clinger, Finance Department (386) 878-8552.**

21
22 Ms. Shang stated there is no increase in the Solid Waste Services Fee.

23
24 Vice Mayor Schleicher asked how many more years are left on the present contract and Mr. Baker
25 replied three (3).

26
27 Commissioner Nabicht asked if the contract could be amended to have Waste Pro pick up everything
28 and he noted that would be an increase in the amount of service and would likely also increase the
29 rate and Mrs. Vose replied the City could at any time initiate a discussion with Waste Pro.

30
31 The Commission discussed looking at franchise fees, complaints about wanting everything picked
32 up, the difference in the time items can be left in the right-of-way (ROW) being 24 hours or in the
33 yard being seven (7) days and this being a notice issue.

34
35 Commissioner Honaker asked what if the Commission voted “no” tonight on this resolution how
36 long would that set the City back in getting a new resolution out and notifying the residents; it was
37 determined that if this happened the Commission needed to be aware of what is being done as the
38 City cannot just cancel the contract.

39
40 **C. Resolution No. 2015-17, Establishing Preliminary Annual Assessment Rate –**
41 **Streetlighting Services for FY 15/16 – Robert Clinger, Finance Department (386) 878-8552.**

42
43 Ms. Shang stated the assessment rate for streetlighting is a pass through, there is no increase and
44 there were no questions from the Commission on this item.

45
46 **D. Ordinance No. 06-2015, Amending Section 6-1, “Hours of Sale,” of Chapter 6**
47 **“Alcoholic Beverages,” of the Code of City of Deltona; Making hours of sale consistent**
48 **throughout the week, for first reading – Becky Vose, City Attorney (407) 448-0111 (cell).**

1
2 Ms. Shang stated this ordinance makes the hours of sale consistent throughout the week in the local
3 area and there were no questions from the Commission on this item.

4
5 **E. Ordinance No. 08-2015, creating a new Section 1-17, “Ordinance Review Committee,”**
6 **of Chapter 1, “General Provisions,” of the Code of Ordinances of the City of Deltona, for first**
7 **reading – Becky Vose, City Attorney (407) 448-0111 (cell).**

8
9 Ms. Shang stated this ordinance creates an Ordinance Review Committee.

10
11 Mayor Masiarczyk stated it was his understanding that the Commission would tell the Committee
12 what issues to look into and Mrs. Vose replied that is how the ordinance is written.

13
14 Vice Mayor Schleicher asked when the Committee would start and Mrs. Vose replied after the 2nd
15 Reading of the Ordinance.

16
17 Commissioner Herzberg asked if the Committee could bring items up to the Commission for review
18 and it was determined the Committee could and the Commission would decide whether to have that
19 item reviewed.

20
21 **F. Ordinance No. 12-2015, creating a new Chapter 55, “Squatters,” of the Deltona Code of**
22 **Ordinances, for first reading – Becky Vose, City Attorney (407) 448-0111 (cell).**

23
24 Ms. Shang stated this is a new ordinance creating a chapter on “Squatters” and there were no questions
25 from the Commission on this item.

26
27 **10. OLD BUSINESS:** None.

28
29 **11. NEW BUSINESS:**

30
31 **A. Consideration of appointment of a City representative to the Volusia Growth**
32 **Management Commission (VGMC) – Joyce Raftery, City Clerk (386) 878-8502.**

33
34 Ms. Shang stated this is the appointment of Sandi Lou Gallagher to represent the City at the Volusia
35 Growth Management Commission (VGMC).

36
37 Mayor Masiarczyk stated Mrs. Gallagher has represented the City, she is very familiar with the system
38 and there have not ever been any issues. He recommended the Commission move forward with her
39 appointment.

40
41 **B. Request for approval to piggyback County of Fluvanna agreement for the contract with**
42 **CityScape Consultants, Inc., for and as cell tower consultants for the City of Deltona – Becky**
43 **Vose, City Attorney (407) 448-0111 (cell).**

44
45 Commissioner Smith asked if there had been any changes since the Commission had looked at this
46 previously and Mrs. Vose replied it is the same.

47
48 Commissioner Smith asked if the City had used a consultant for this before and Mrs. Vose replied

1 the City has not; the City has been doing this on the fly and has possibly left some money on the
2 table. Commissioner Smith asked if the contract time frame of five (5) years with an automatic five
3 (5) year renewal was an industry standard and is there an evaluation process. Mrs. Vose replied she
4 has looked and she has spoken with City Attorneys throughout the State and there are two (2)
5 companies that do this; the other companies are in bankruptcy and CityScape Consultants, Inc.
6 comes highly recommended. Commissioner Smith asked if this prohibits the City from having
7 discussions about cell towers and Mrs. Vose replied the City would be turning it over to them and as
8 for the evaluation, if the company gets an increase in what the City charges then the consultant
9 shares in that so the consultant is not going to want to sit and let things go.

10
11 Ms. Shang stated the City does not have to exercise the option but, the City would want to be fair
12 and give the consultant time to gear up, do the analysis and create a baseline as this is a very
13 specialized area. She added the City needs a company that has wide exposure and the expertise that
14 will look at the contracts so the City can get the revenues it should be getting and she noted if
15 additional revenue is not brought in the consultant does not get paid.

16
17 The Commission discussed whether staff could do this, concerns about what happens with private
18 individuals that have cell towers on their property and are receiving revenue, piggybacking off
19 someone else's contract, no one keeping track of changes to the towers and equipment on the towers,
20 staff not having a problem with turning this over to a consultant and letting contracts go to
21 specialized companies that know what they are doing, staff going to the City Attorney with questions
22 and encouraging more cell towers on City property.

23
24 **C. Discussion of Latin Arts and Musical Festival – Commissioner Honaker, District 1 (386)**
25 **275-7729.**
26

27 Commissioner Honaker went over the City's Code of Ordinance No. 10-104 regarding City
28 Sponsored Events listing the provisions the Latin Festival meets and the minutes from previous
29 discussions about this topic. He stated co-sponsoring this event would give the City a seat at the
30 table during the planning so the City knows what it is looking towards. He stated the application
31 asks for in-kind services and not the cost for the Volusia County Sheriffs' Office (VCSO) services.
32 He stated the City could promote the festival on the marque signs and website calendar, use of
33 Dewey Boster Sports Complex, close the concession stand, supply traffic cones, etc. He stated this
34 is something the Commission needs to do for the residents and he suggested the City do something
35 big every month for the residents/families and embrace the diversity. He listed things the Hispanic
36 Association does like giving away 5,000 backpacks stuffed with school supplies, providing
37 scholarships and prom dresses to the under-privileged students. He stated the organization helps
38 people and it brings visibility of the City to the region by bringing people from all over in addition to
39 the City's attracting a large number of Hispanic residents. He stated Deltona is a destination City, it
40 is working on a Strategic Plan, it has changed from a retirement to a family destination community
41 and Deltona is a safe community according to the Volusia County Sheriffs' Office statistics.

42
43 Commissioner Herzberg asked what the City does for the "Faith and Country Rally"; does the City
44 co-sponsor the event and does this group pay anything to the City for putting on the event and Mr.
45 Moore replied the group did in the past pay for the application fees and for the use of everything.

46
47 The Commission discussed establishing a list of City co-sponsored events at budget time,
48 establishing an co-sponsor application and a City policy on how to apply, having a dollar amount for

1 co-sponsorship, establishing a Multi-Cultural Event, not following policy and procedures, having
2 more events at the Amphitheater, promoting a sense of community and diversity, supporting the
3 groups that do things in the City, co-sponsoring and putting the City's name on the events that
4 benefit the community, funding being available in reserves, wanting the event to be budgeted,
5 having consistency across the board and the City not being equitable with different groups and doing
6 what is best for the City.

7
8 **12. CITY ATTORNEY COMMENTS:** None.

9
10 **13. CITY MANAGER COMMENTS:** None.

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12 **14. CITY COMMISSION COMMENTS:** None.

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14 **14. ADJOURNMENT:**

15
16 There being no further business, the meeting adjourned at 5:25 p.m.

17
18 **ATTEST:**

19
20
21 _____
22 **Janet Day, Deputy City Clerk**