

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
MONDAY, JUNE 15, 2015**

1 A Regular Meeting of the Deltona City Commission was held on Monday, June 15, 2015 at the City
2 Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

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

5
6 The meeting was called to order at 6:30 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 City Clerk Joyce Raftery Present

20
21 Also present: Deputy City Manager Dale Baker; Public Works/Deltona Water Director Gerald
22 Chancellor; and VCSO Captain Eagan.

23
24 **3. INVOCATION AND PLEDGE TO THE FLAG:**

25
26 **A. Invocation Presented by Vice Mayor Schleicher – Reverend Dr. Mark Winkler from**
27 **Emmaus Lutheran Church.**

28
29 Vice Mayor Schleicher introduced Reverend Dr. Mark Winkler from Emmaus Lutheran Church.

30
31 The National Anthem was sung by Mia Gomez an 8th Grader at Ivy Hawn Charter School.

32
33 **4. APPROVAL OF MINUTES & AGENDA:**

34
35 **A. Minutes:**

36
37 **1. Approval of Minutes – Special Commission Meeting of April 25, 2015 and Regular City**
38 **Commission Meeting of June 1, 2015.**

39
40 **Motion by Vice Mayor Schleicher, seconded by Commissioner Herzberg to approve the minutes**
41 **of the Special Commission Meeting of April 25, 2015 and Regular City Commission Meeting of**
42 **June 1, 2015, as presented.**

43
44 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
45 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
46 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

47
48 **5. PRESENTATIONS/AWARDS/REPORTS:**

49

1 **A. Volusia Transit Connector Study.**
2

3 Former Volusia County Councilmember Patricia Northey introduced Joe Bitar with the Florida
4 Department of Transportation (FDOT) and Alan Danaher the Consultant Project Manager who
5 provided a PowerPoint Presentation that included project partners, the project overview to include
6 the study area and scope of services, the project approach and tiered screening process, the study
7 schedule, the initial mode screening and its criteria and results summary, the initial corridor analysis
8 segments, alternatives 1 through 6, the existing and planning transit network, the initial alternatives
9 public meetings and the next steps.

10
11 Commissioner Herzberg stated there is no bus service from Dirksen Road to the SunRail Station and
12 she asked if that would be possible and Mr. Danaher replied there will be a local bus service plan
13 and that can be looked at. Mr. Bitar stated that it could be discussed with Votran also.
14

15 Commissioner Nabicht stated he is concerned about the projects progress and the public's
16 attendance, FDOT and everyone needs to work together to get the word out to the public better, the
17 taxpayers are going to pay the bill for what ridership is not paying to provide this service, SunRail
18 "must" be brought to Deltona if it is going to work and pay for itself, alternative two (2) and five (5)
19 are the only options that should be considered with a large parking garage factored into the equation
20 possibly at S.R. 472, Deltona was not factored in or counted by FDOT's own admission when the
21 SunRail parking station was designed in DeBary yet most of the people parking there are from
22 Deltona, and there needs to be a weighted factor as to population and where the ridership is going to
23 come from. Mr. Bitar replied the public is not interested at this stage of the project; usually the
24 public is interested when there is construction and he feels good about the amount of public
25 participation so far.
26

27 Commissioner Nabicht stated things have to be designed and planned for the future like the
28 Transportation Planning Organization (TPO) does which is a group of functioning professional
29 leaders in the County that are dealing with transportation issues that are going out 45 years and it
30 needs to lean heavily on what the TPO brings to the table when making decisions as to where the rail
31 is going to be laid and where to find the funding. Mr. Bitar replied there is a design to expand the
32 DeBary Park and Ride which is moving forward and will be constructed in 2016.
33

34 **6. CITY COMMISSION SPECIAL REPORTS:**
35

36 Mayor Masiarczyk stated he attended the West Volusia Summit on Saturday which mirrored a lot of
37 the recent transportation discussion, the one (1) cent sales tax and smoking regulations to include
38 banning electronic cigarettes where smoking is banned. He stated the City Manager created a letter
39 that will be sent to all the delegation which he read for the record regarding mandated State funding
40 for the restoration of the Blue Springs Basin and the water quality of the Florida Springs and he
41 stated unless there is an objection he is going to sign the letter on behalf of the Deltona City
42 Commission and send it off as the City has been asked to do by Councilman Daniels.
43

44 Vice Mayor Schleicher stated last Monday she filled in for the Mayor at the Mayor's Roundtable at
45 the airport where there was discussion regarding the homeless issue and the building of a homeless
46 shelter on Highway 92, that she was disturbed that the number of homeless children in Deltona was
47 360 and after doing some research the City does not have those kind of numbers. She stated the

1 numbers reflect those children who register at school that do not live in their own home, they live
2 with maybe a grandparent and are considered homeless.

3
4 Commissioner Honaker stated the half cent to one (1) cent sales tax proposal to fund transportation
5 is on the horizon because transportation funds are running out all across the county and it will be a
6 voter referendum. He stated funding is needed for road projects in Deltona such as repaving roads
7 and three (3) laning roads and he had his quarterly District 1 meeting where he covered the City's
8 accomplishments, economic development accomplishments and if anyone wanted to know more to
9 contact the Economic Development Manager Jerry Mayes.

10
11 **7. PUBLIC FORUM – Citizen comments for item not on the agenda.**

12
13 a) Monica Gibson, 2791 Irondale Street, Deltona, stated she just purchased a new electric gas hybrid
14 vehicle, she is concerned about the environment, that there is no vehicle charging stations in the City
15 and she has to go to either Sanford or DeLand to charge her vehicle and she offered several
16 suggested locations to put charging stations within the City.

17
18 b) Professor Bob Mertens, 1400 Hartley Avenue, Deltona, stated he sent an e-mail to Commissioner
19 Herzberg, he has an issue with noise which is fleeting, the Code process and not having witnesses to
20 noise incidents, the noise only has to be heard to be a violation, the Code being unenforceable, the
21 United States Supreme Court's stand on noise violations and Volusia County's Code and Deltona's
22 Code having different language.

23
24 The Commission discussed the issue and the Ordinance Review Committee taking this on as the first
25 ordinance to review, the e-mail he sent to Commissioner Herzberg outlining what the City needs to
26 do, whether or not a noise violation is unenforceable or not and neither Deltona nor the County
27 having a decibel meter. Mrs. Vose stated the Volusia County Court has said it is unenforceable
28 whether it is the wording of Deltona or Volusia County which is why the cases go to the Special
29 Magistrate who enforces it but, there needs to be an independent witness to testify.

30
31 c) Larry Wall, 1731 Ingram Terrace, Deltona, spoke about the home on his street who had numerous
32 cats removed, having a copy of the search warrant and the people not being in violation, the cats not
33 being harmed and were healthy, that the resident was watching cats for people whose cats were
34 taken during the search, not all the cats were being kept inside the house, people going to Halifax
35 Humane Society to pick up their cats and the cats already being euthanized and that witnesses will
36 continue to come forward regarding this issue.

37
38 **8. CONSENT AGENDA:** None.

39
40 **9. ORDINANCES AND PUBLIC HEARINGS:**

41
42 **A. Resolution No. 2015-15, Establishing Preliminary Annual Assessment Rate – Stormwater**
43 **Utility Services for FY 15/16 – Robert Clinger, Finance Department (386) 878-8552.**

44
45 Mayor Masiarczyk opened the public hearing.

46
47 **Motion by Commissioner Nabicht, seconded by Commissioner Honaker to adopt Resolution No.**
48 **2015-15, Establishing Preliminary Assessment Rate Resolution – Stormwater Utility Assessments**

1 **for FY 15/16 at the rate of \$108.00 per Equivalent Residential Unit (ERU).**

2
3 Larry Kent, 235 River Village Drive, DeBary, stated he can apply for a credit by making application
4 to the City for reimbursement of part of his stormwater fees because he has onsite stormwater on all
5 three (3) of his commercial properties. He stated the allowance is based on a study done by Tetra
6 Tech many years ago which states that some properties should be allowed either a 30% or 40%
7 reduction, however, the resolution only deals with the 30% reduction. He stated he is having issues
8 with obtaining his permits and his Certificates of Occupancy (CO) because they are so old.

9
10 Mayor Masiarczyk asked if for those properties that were done way before Deltona became a City
11 with no records on file, can there be a clause that allows the reduction and Public Works Director
12 Gerald Chancellor replied there are two (2) alternatives one, could change it so the property owner is
13 required to have its onsite system evaluated by a stormwater engineer who would then tell the City if
14 the system meets the criteria to receive credit, the other alternative is if there is no permits and the
15 City wishes to have its stormwater engineer look at the property to evaluate it and provide what they
16 see at the site which may cost, depending on the site, from \$500 to \$1,000. He stated the criteria is
17 under the current ordinance that the commercial property owner has to produce either the Water
18 Management District's stormwater permit or the Department of Environmental Protection (DEP)
19 permit that may have been issued in the late 1970's or early 1980's.

20
21 The Commission and staff discussed that all permits, site plan approvals and Certificates of
22 Occupancy are available at the County who is required per the Building Code to maintain the
23 permits for the life of the building, the City did not take into consideration any exemption in regards
24 to how the fee was determined, staff needing to provide estimates of what the impact would be for
25 any discount on the fee, if there is any adjustment that would mean the City cannot go above the set
26 fee, less fees coming in would mean less projects will be done and getting documents such as
27 permits is a public records request and the entity is required to provide them.

28
29 Mayor Masiarczyk stated if the Commission agrees "Jane make it happen" because these property
30 owners should not be denied the right to be provided the discount and there was no objection from
31 the Commission. Ms. Shang stated she has the Commission's direction, she thinks the issue is the
32 City wants to be fair, not to penalize the property owner or have the property owner spend more
33 money and she will work with staff to come up with something fair.

34
35 Mayor Masiarczyk read the title of Resolution No. 2015-15 for the record.

36
37 **A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, RELATING TO THE**
38 **PROVISION OF STORMWATER UTILITY SERVICES, FACILITIES AND PROGRAMS IN**
39 **THE CITY OF DELTONA; GENERALLY DESCRIBING THE SERVICES, AND**
40 **FACILITIES OR PROGRAMS TO BE PROVIDED; DESCRIBING THE METHOD OF**
41 **ASSESSING STORMWATER UTILITY ASSESSED COSTS AGAINST ASSESSED**
42 **PROPERTY LOCATED WITHIN THE CITY OF DELTONA; REDEFINING THE SQUARE**
43 **FOOTAGE OF IMPERVIOUS AREA PER EQUIVALENT RESIDENTIAL UNIT;**
44 **DIRECTING THE PRELIMINARY ANNUAL RATE RESOLUTION; AUTHORIZING A**
45 **PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF;**
46 **PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.**

47
48 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**

1 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
2 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

3
4 Resolution No. 2015-15 was adopted at 7:38 p.m.

5
6 **B. Resolution No. 2015-16, Establishing the Preliminary Annual Rate Resolution – Solid**
7 **Waste Services for FY 15/16 – Robert Clinger, Finance Department (386) 878-8552.**

8
9 **Motion by Commissioner Honaker, seconded by Commissioner Herzberg to adopt Resolution No.**
10 **2015-16, Establishing Preliminary Assessment Rate Resolution – Solid Waste Assessments for FY**
11 **15/16 to provide for an annual rate of \$173.96 for solid waste collection services.**

12
13 Commissioner Nabicht stated he will not be voting for the fee as he feels that the City has not been
14 receiving satisfactory service under the current contract which staff has been trying to resolve and he
15 requested the City Manager and Commission schedule a future workshop to look at improving the
16 service within the scope of the contract and possibly including unlimited pick-ups, at a cost. He
17 stated he would also like to discuss a franchise fee and a requirement where all commercial
18 properties would be required to use the same vendor.

19
20 The Commission discussed whether or not to vote on the item, setting the rate does not tie the City's
21 hands where it cannot discuss with Waste Pro any changes to the contract and not voting on the item
22 possibly making a real problem for the residents trash collection.

23
24 Mayor Masiarczyk opened the public hearing.

25
26 Unknown name and address, asked if there was going to be a reduction of \$50 for the garbage cans
27 provided or if new garbage cans would be provided to residents.

28
29 Mayor Masiarczyk replied the \$50 fee is not a yearly fee, residents are not getting new garbage cans
30 every year, it is the total cost of the contract which the garbage cans were part of much like the new
31 vehicles, new service times and amounts of trash pick-up.

32
33 Commissioner Nabicht explained the negotiation process with Waste Pro and that his assumption is
34 that unlimited pick-ups he is proposing would increase Waste Pro's dump fees which would be
35 passed onto the customers and the question is how much would the increase be. Commissioner
36 Herzberg explained that the Waste Pro contract was a seven (7) year contract that had no increase
37 during that seven (7) year timeframe and she explained the reason why so there was a \$50 increase
38 for the life of the contract which is also the same situation with the stormwater rates.

39
40 Mayor Masiarczyk closed the public hearing.

41
42 Mayor Masiarczyk read the title of Resolution No. 2015-16 for the record.

43
44 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA,**
45 **RELATING TO THE PROVISION OF SOLID WASTE SERVICES, FACILITIES AND**
46 **PROGRAMS IN THE CITY OF DELTONA; GENERALLY DESCRIBING THE**
47 **SERVICES, FACILITIES OR PROGRAMS TO BE PROVIDED; ESTIMATING THE COST**
48 **TO BE ASSESSED FOR THE UPCOMING FISCAL YEAR; ESTABLISHING THE**

1 **ASSESSMENT RATE FOR THE UPCOMING FISCAL YEAR; AUTHORIZING A PUBLIC**
2 **HEARING; DIRECTING THE ROLL BE UPDATED AND NOTICE PROVIDED WHERE**
3 **REQUIRED; DIRECTING AND AUTHORIZING ADDITIONAL OR SUPPLEMENTAL**
4 **NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

5
6 **Motion carried with members voting as follows:**

7		
8	Commissioner Herzberg	For
9	Commissioner Honaker	For
10	Commissioner Nabicht	Against
11	Commissioner Smith	For
12	Vice Mayor Schleicher	For
13	Mayor Masiarczyk	For
14		

15 Resolution No. 2015-16 was adopted at 7:50 p.m.

16
17 **Motion by Commissioner Nabicht, seconded by Commissioner Smith that the City Manager**
18 **open up negotiations with Waste Pro to renegotiate the contract.**

19
20 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
21 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
22 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

23
24 **C. Resolution No. 2015-17, Establishing Preliminary Annual Assessment Rate –**
25 **Streetlighting Services for FY 15/16 – Robert Clinger, Finance Department (386) 878-8552.**

26
27 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

28
29 **Motion by Commissioner Nabicht, seconded by Commissioner Herzberg to approve**
30 **Resolution No. 2015-17, adopting the current rate for Streetlighting Assessments for FY 15/16.**

31
32 Mayor Masiarczyk read the title of Resolution No. 2015-17 for the record.

33
34 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA,**
35 **RELATING TO THE PROVISION OF STREETLIGHTING SERVICES, FACILITIES AND**
36 **PROGRAMS IN THE CITY OF DELTONA; GENERALLY DESCRIBING THE**
37 **SERVICES, FACILITIES OR PROGRAMS TO BE PROVIDED; ESTIMATING THE COST**
38 **TO BE ASSESSED FOR THE UPCOMING FISCAL YEAR; ESTABLISHING THE**
39 **ASSESSMENT RATE FOR THE UPCOMING FISCAL YEAR; AUTHORIZING A PUBLIC**
40 **HEARING; DIRECTING THE ROLL BE UPDATED AND NOTICE PROVIDED WHERE**
41 **REQUIRED; DIRECTING AND AUTHORIZING ADDITIONAL OR SUPPLEMENTAL**
42 **NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

43
44 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
45 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
46 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

47
48 Resolution No. 2015-17 was adopted at 7:53 p.m.

1
2 **D. Ordinance No. 06-2015, Amending Section 6-1, “Hours of Sale,” of Chapter 6**
3 **“Alcoholic Beverages,” of the Code of City of Deltona; Making hours of sale consistent**
4 **throughout the week, for first reading – Becky Vose, City Attorney (407) 448-0111 (cell).**
5

6 **Motion by Vice Mayor Schleicher, seconded by Commissioner Honaker to adopt Ordinance**
7 **No. 06-2015, at first reading and to schedule second and final reading for July 6, 2015.**
8

9 Mayor Masiarczyk opened the public hearing.

10
11 Larry Wall, 1731 Ingram Terrace, Deltona, stated he does not condone drinking and driving and he
12 asked if this would increase his opportunity to purchase alcohol.
13

14 Mayor Masiarczyk replied that the ordinance is being updated to be consistent and brought in line
15 with all the neighboring businesses and West Volusia County.
16

17 Mayor Masiarczyk closed the public hearing.
18

19 City Attorney Becky Vose read the title of Ordinance No. 06-2015 for the record.
20

21 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 6-1,**
22 **“HOURS OF SALE”, OF CHAPTER 6 “ALCOHOLIC BEVERAGES”, OF THE CODE OF**
23 **THE CITY OF DELTONA; MAKING HOURS OF SALE CONSISTENT THROUGHOUT**
24 **THE WEEK; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY**
25 **AND FOR AN EFFECTIVE DATE.**
26

27 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
28 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
29 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**
30

31 Ordinance No. 06-2015 was adopted at 7:56 p.m.
32

33 **E. Ordinance No. 08-2015, creating a new Section 1-17, “Ordinance Review Committee,”**
34 **of Chapter 1, “General Provisions,” of the Code of Ordinances of the City of Deltona, for first**
35 **reading – Becky Vose, City Attorney (407) 448-0111 (cell).**
36

37 Mayor Masiarczyk passed the gavel to Vice Mayor Schleicher and left the meeting at 7:56 p.m.
38

39 **Motion by Commissioner Honaker, seconded by Commissioner Herzberg to adopt Ordinance**
40 **No. 08-2015, at first reading and to schedule second and final reading for July 6, 2015.**
41

42 Vice Mayor Schleicher opened and closed the public hearing as there were no public comments.
43

44 City Attorney Becky Vose read the title of Ordinance No. 08-2015 for the record.
45

46 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, ADOPTING A NEW**
47 **SECTION 1-17, “ORDINANCE REVIEW COMMITTEE” OF CHAPTER 1, “GENERAL**
48 **PROVISIONS”, OF THE CODE OF THE CITY OF DELTONA, ESTABLISHING AN**

1 **ORDINANCE REVIEW COMMITTEE; PROVIDING FOR APPOINTMENT OF**
2 **MEMBERS AND DUTIES OF COMMITTEE; AND PROVIDING FOR CONFLICTS,**
3 **CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.**

4
5 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
6 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; and Vice**
7 **Mayor Schleicher, For.**

8
9 Ordinance No. 08-2015 was adopted at 7:58 p.m.

10
11 City Manager Jane Shang asked for a motion to assign the noise ordinance to the Ordinance Review
12 Committee and after discussion, the Commission concurred to set the Committee up first as it is only
13 first reading of the ordinance, appoint the members and then discuss which ordinances will be
14 assigned to the Committee.

15
16 Mayor Masiarczyk returned to the meeting at 7:59 p.m.

17
18 **F. Ordinance No. 12-2015, creating a new Chapter 55, "Squatters," of the Deltona Code of**
19 **Ordinances, for first reading – Becky Vose, City Attorney (407) 448-0111 (cell).**

20
21 **Motion by Commissioner Herzberg, seconded by Commissioner Honaker to adopt Ordinance**
22 **No. 12-2015, at first reading and to schedule second and final reading for July 6, 2015.**

23
24 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

25
26 City Attorney Becky Vose read the title of Ordinance No. 12-2015 for the record.

27
28 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, CREATING A NEW**
29 **CHAPTER 55, "SQUATTERS," OF THE DELTONA CODE OF ORDINANCES, MAKING**
30 **FINDINGS; PROVIDING DEFINITIONS; PROHIBITING SQUATTING; REQUIRING**
31 **REMOVAL OF SQUATTERS; PROVIDING PENALTIES; PROVIDING FOR CITY**
32 **REMOVAL OF SQUATTERS; PROVIDING FOR NOTICE AND HEARING; PROVIDING**
33 **FOR PRESUMPTION OF SQUATTING, OTHER REMEDIES, AND IMMUNIZATION;**
34 **AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND**
35 **EFFECTIVE DATE.**

36
37 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
38 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
39 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

40
41 Ordinance No. 12-2015 was adopted at 8:02 p.m.

42
43 **10. OLD BUSINESS:** None.

44
45 **11. NEW BUSINESS:**

46
47 **A. Consideration of appointment of a City representative to the Volusia Growth**
48 **Management Commission (VGMC) – Joyce Raftery, City Clerk (386) 878-8502.**

1
2 **Motion by Commissioner Nabicht, seconded by Commissioner Herzberg to confirm the following**
3 **Commission appointment of citizen member Sandy Lou Gallagher as the City’s representative to**
4 **the Volusia Growth Management Commission (VGMC) for a two (2) year term to expire on June**
5 **30, 2017.**

6
7 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

8
9 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
10 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
11 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

12
13 **B. Request for approval to piggyback County of Fluvanna agreement for the contract with**
14 **CityScape Consultants, Inc., for and as cell tower consultants for the City of Deltona – Becky**
15 **Vose, City Attorney (407) 448-0111 (cell).**

16
17 **Motion by Vice Mayor Schleicher, seconded by Commissioner Nabicht to approve**
18 **piggybacking on the County of Fluvanna’s agreement with CityScape Consultants, Inc., as cell**
19 **tower consultants for the City of Deltona.**

20
21 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

22
23 Mayor Masiarczyk stated he has some concerns which he will work out before the signing of the
24 agreement regarding private ownership and what affect that might have with the agreement. He
25 stated he will do his due diligence and talk to the City Attorney more in-depth on it.

26
27 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
28 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For; Vice**
29 **Mayor Schleicher, For; and Mayor Masiarczyk, For.**

30
31 Mayor Masiarczyk stated he pushed the wrong button on the voting system and he asked that the
32 voting system be reset so the vote could be taken again.

33
34 **Motion carried with members voting as follows:**

35
36 **Commissioner Herzberg For**
37 **Commissioner Honaker For**
38 **Commissioner Nabicht For**
39 **Commissioner Smith For**
40 **Vice Mayor Schleicher For**
41 **Mayor Masiarczyk Against**

42
43 **C. Discussion of Latin Arts and Musical Festival – Commissioner Honaker, District 1 (386)**
44 **275-7729.**

45
46 **Motion by Commissioner Herzberg, seconded by Commissioner Honaker to postpone any**
47 **decision and to put the funding for the event in the budget since it falls in the new budget year.**
48

1 The Commission discussed being equitable to all City organizations, eliminating waiving of fees
2 which is against City policy, not knowing what the budget numbers are and this item being
3 submitted late in the budget process, to have the City Manager look at the City's policy for waiving
4 fees, having all City organizations submit for needed funding for events, the policy's intent being for
5 new organizations and not well established organizations, established organizations not being able to
6 generate enough money each year to fund its own events, the City not being in the business of social
7 services and if it is in that business funds need to be budgeted, City policy requiring status reports
8 after the events and some organizations not providing them, the City sponsoring and receiving
9 corporate sponsorship for its own events, the City providing sponsorship to events, the problem is
10 the organization will be in a position to fund the event themselves if there is no money budgeted for
11 it during the budget process, moving the funds for all organizations through the budget process and
12 staff having a dollar value for everything no matter what it is that is being provided.

13
14 Mayor Masiarczyk opened the public hearing.

15
16 Representative David Santiago stated it is an excellent proposal to deal with the future needs to
17 address this for all organizations, needing to have a very clear policy, needing to look at what the
18 event or activity brings to the City, the organization is asking for about \$2,000 to \$3,000 and the
19 policy only allowing for \$2,500, allowing for a motion to reconsider at the next meeting, this being a
20 \$30,000 event which is successful due to planning and he will work with staff to massage the
21 number.

22
23 Mayor Masiarczyk closed the public hearing.

24
25 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
26 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
27 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

28
29 **12. CITY ATTORNEY COMMENTS:** None.

30
31 **13. CITY MANAGER COMMENTS:** None.

32
33 **A. Lobbyist Update:** None.

34
35 **14. CITY COMMISSION COMMENTS:**

36
37 a) Commissioner Smith stated the West Volusia Summit was a good event and she thanked the
38 City of Lake Helen for hosting the event and the Volusia League of Cities (VLOC) Dinner about two
39 (2) weeks ago was a good event which gave the Commission the opportunity to talk to other elected
40 officials without violating any Sunshine Laws.

41
42 b) Commissioner Nabicht asked to take a look at amending the Land Development Code (LDC)
43 to require the vehicle charging stations to be installed at appropriate facilities as they are being built
44 such as any City facilities or any medical facilities and to look at ordinances that other cities have in
45 place.

46
47 c) Vice Mayor Schleicher stated she attended the Mayor's Roundtable, the VLOC Dinner and
48 the West Volusia Summit. She stated she recently had the opportunity to visit Fort Foster, the

1 information provided was amazing such as the amount of wood and type of wood used, the project is
2 taking on a life of its own and everyone has been helpful and supportive. The next places to visit are
3 the St. Johns River Water Management and the Further Forever Group and then have a presentation
4 for the Commission tentatively in August.

5
6 d) Commissioner Honaker stated he has a work conflict with the next Monday's workshop, he
7 encouraged everyone to participate in the Neighborhood Watch Program which he himself is going
8 to start back up in his neighborhood and he suggested changing the all-day budget workshop on
9 Friday, July 10th from a workday to Saturday, July 11th.

10
11 e) Commissioner Herzberg stated she has received complaints about residents not being able to
12 receive the government channels on the BrightHouse Network, it is a blank screen, what do people
13 need to do and who do they need to contact and she requested to announce the solution before
14 everyone Regular Commission Meeting.

15
16 f) Mayor Masiarczyk stated he hurt an employee's feelings by not sending a get well card to
17 them which he normally does and he asked that staff let him know about things like that; he saw
18 longtime City employee former Fire Captain Koczan who is on the Firefighter's Pension Plan Board
19 of Trustees who had open heart surgery and he looks great; and he attended the funeral of Golden
20 Glove Champion Chris Lopez who passed away at 27 years of age, he grew up in Deltona, he had a
21 great career boxing and he was a member of Taino Boxing Club.

22
23 Mayor Masiarczyk spoke about the West Volusia Summit where he was quiet, the room was packed
24 and there was a lot of talk but, no decisions made, maybe as a group the Commission should stand
25 up and say this is what should be done and what the City supports, the Commission discussing the
26 agenda before attending the meeting and coming to a consensus, having a unified voice about what
27 the Commission is going to promote and Deltona used to be called the eight hundred pound gorilla.

28
29 The Commission discussed passing a resolution stating what the City's position is, the City needing
30 a Strategic Plan, the Commission not being cohesive with the decisions made for the City, not
31 knowing what the City stands for and what it does not, Commissioners having to stand up for what
32 they believe in but, once the Commission makes a decision as a body the entire Commission should
33 support that position and move forward on it per Roberts Rules of Order, the West Volusia Summit
34 agenda being ambiguous, the idea for the Summit was that each City would attend knowing what
35 each one (1) wanted and then all the cities would support that idea and move forward.

36
37 Mayor Masiarczyk stated he will request that the item be placed on an agenda for discussion because
38 some of the items may need funding and the City is going through its budget process now.

39
40 **14. ADJOURNMENT:**

41
42 There being no further business, the meeting adjourned at 8:36 p.m.

43
44
45 **ATTEST:**

John Masiarczyk Sr., Mayor

46
47
48 _____
Joyce Raftery, CMC, City Clerk