



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission Workshop

Monday, October 26, 2015

5:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

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

2. ROLL CALL – CITY CLERK:

Present 6 - Commissioner Herzberg
Commissioner Honaker
Commissioner Smith
Commissioner Soukup (left at 7:14 p.m.)
Vice Mayor Schleicher
Mayor Masiarczyk

Excused 1 - Commissioner Nabicht

3. PLEDGE TO THE FLAG:

The City Commission and staff said the pledge to the flag.

PUBLIC COMMENTS – Citizen comments limited to items not on the agenda and comments on items on the agenda will take place after discussion of each item. (4 minutes maximum length per speaker)

Mayor Masiarczyk opened and closed the meeting for public comment as there were none.

4. BUSINESS:

A. Discussion re: Brief update on Trap Neuter Release (TNR) Program and Release Area - Dale Baker, Deputy City Manager (386) 878-8852.

Deputy City Manager Dale Baker gave an update on the Trap, Neuter, Release Program. Mr. Baker stated that there is now another veterinarian that will hold the cats until they are recovered from the surgery. He recommended continuing the program for another three (3) years, and if the Commission agreed, he would bring a Resolution to the next Regular Commission Meeting.

The Commission discussed dog programs, found animals being placed on the City's Facebook page, grants for spaying and neutering dogs, Commissioner Herzberg's dedication to the program, the reason for extending the program three (3) years, a trap, neuter, release point and a holding facility for the animals.

Bob Belt, 2605 Fairmont Avenue, New Smyrna Beach, stated that trap, neuter and

remove does not work because cats are territorial which is why they practice trap, neuter, release. He stated that if a cat is trapped and brought to another territory that it will return to its original territory. The only way to stop this behavior is by confining the cat for 30 days or longer which may result in stress to the cat. He stated that trap, neuter, release works best because the nuisance behaviors go away once the cat is fixed.

After discussion, the Commission concurred to continue the trap, neuter, release program for three (3) years.

Commissioner Herzberg thanked the City Manager, Deputy City Manager, Angela Meyer and the volunteers for making the program a success.

Smiley Thurston, 608 Saxon Boulevard, Deltona, stated that Angela Meyer now keeps a map of all of the cat colonies in the City of Deltona, that there are around 45 cat colonies in the City and how he now understands why relocating the cats will not work.

Mayor Masiarczyk apologized for going through the agenda so quickly but, that this is because the Commission decided to have two (2) hour workshops.

B. Discussion re: Sign Ordinance - Becky Vose, Esq., City Attorney, (386) 878-8872, and Chris Bowley, AICP, Planning and Development Services Department (386) 878-8602.

The City Attorney stated that she sent the Commissioners information on a new U.S. Supreme court case that was released in June which dramatically changes the foundation of how a city regulates signs and that the bottom line is if you need to read the words on the sign or interpret a picture on a sign to see if the regulation applies then the regulation is an unconstitutional regulation.

The Commission and staff discussed content of signs, signs in the right-of-way, treating all signs the same, the structure of the sign, time frames for sign permits, yard sale signs and location of signs.

Planning and Development Services Director Chris Bowley explained signage types, sign code, permanent signs, temporary signs, signage, pylon pole signs, monument freestanding signs, multi-tenant signage, multiple frontage properties, wall signs, electronic changeable copy signs, window signage, house of worship signs, subdivision signs, temporary real estate signs and gave a summary on signage.

The members of the Deltona Business Alliance (DBA) were introduced to include Vice President Rafael Ramirez, Larry Kent, Frank Demarsh, Jean Armstrong, George Voll, Ruben Colon and Denise White.

Larry Kent stated he understood the current code but, he believed that it is too restrictive, that the free market will dictate what the signs will be, that signs must meet 140 mile an hour wind load, that he is grateful for the meeting and that many newspaper articles state that Deltona is not business friendly.

Ruben Colon stated that he participated in the visioning session and that many residents stated they wanted businesses involved and he explained his presentation on signs. He explained the urban design pattern book that was adopted by the City Commission on August 4, 2008 and what the current signs in the City look like.

Mr. Kent explained pictures of the sign at Dr. Azmat's office and how the current code affected the sign being replaced and the view of the sign from the road.

Mr. Colon presented pictures of Bethune Cookman University, Saxon Medical Park and, Walmart signs. He stated that businesses must put messaging for outlying businesses at the bottom of the sign which many cannot see.

Mr. Kent presented examples of monument signs and pole signs. He stated that his recommendation is for the City to rethink the sign size and that the City needs pole signs.

The Commission discussed the maintenance of signs.

Commissioner Smith asked the DBA if the sign Ordinance reflected what they gave input on.

Mr. Kent stated that they took out unnecessary requirements and that signage should not and will not all look the same.

Commissioner Smith clarified that the sign Ordinance reflected what the DBA recommended and Mr. Ramirez stated that the sign Ordinance is not what the organization proposed.

A member of the Deltona Business Alliance stated that sign Ordinance could not be condensed to five (5) pages, that the City Attorney added technical verbiage back into the ordinance and he asked the Commission to look at sections 102-71 and 102-106 of the sign Ordinance and the section of the Ordinance detailing wall signs.

The Commission discussed receiving specifics that need to be changed in the Ordinance, pole signs, the design of the signs, the maintenance of signs, how signs are made and beautifying the City.

Mayor Masiarczyk left the meeting at 6:47 p.m.

The Commission discussed a sign meeting the wind load requirement and the building code, code enforcement enforcing issues with signs, maintenance and repair of signs, signs reflecting what is in the community, ineffective signs and size of signs and visibility of signs.

Mayor Masiarczyk returned to the meeting at 6:50 p.m.

The Commission discussed pole signs, monument signs, broken signs, sign maintenance, enforcing sign maintenance, beautifying the City, and construction and maintenance standards as it pertains to signs.

Commissioner Honaker left the meeting at 7:03 p.m.

The Commission discussed temporary signs and special event signs.

Commissioner Honaker returned to the meeting at 7:05 p.m.

The Commission, staff and the DBA discussed having a workshop on the sign Ordinance, the DBA's proposed sign Ordinance, the City of Deltona's signs, and the size of signs.

Commissioner Soukup left the meeting at 7:14 p.m.

After discussion, the Commission concurred to have staff create a proposal that can be discussed line by line at a City Commission workshop.

The Commission and the DBA discussed the size of signs, regulations of signs, aesthetically pleasing signs and temporary signs.

City Attorney Vose stated that she will work with Planning and Development Director Chris Bowley and staff to come up with a draft proposal for the DBA to view and then have another joint workshop with the DBA.

City Manager Shang suggested for the DBA to e-mail staff their comments, to have another meeting with staff and to have another joint workshop with the DBA.

Smiley Thurston, 608 Saxon Boulevard, Deltona, stated that Larry Kent deserves a compliment for Justin Square being one (1) of the nicest looking signs in the City and that many of the offenders of temporary signs are churches and non-for-profits.

Ms. Armstrong thanked the Commission.

Mr. Kent thanked the Commission for allowing the DBA to participate in the meeting and he stated it was a great process.

Mr. Ramirez stated that he will wait for the City Manager to provide a document.

The Commission discussed getting Code Enforcement involved in the sign Ordinance.

City Manager Shang asked that the DBA send their comments to staff.

The Commission discussed staff crafting the sign Ordinance.

Richard Marling, Orange City Merchant's Association, complimented the Commission on

the meeting with the DBA.

Commissioner Honaker stated that he attended the Relay for Life meeting and that Chip Burton with Top Shelf Car Wash would sponsor a Commission team for Relay for Life.

The Commission concurred to have Commissioner Honaker get the Commission a date for the fundraiser at Top Shelf Car Wash.

5. CITY MANAGER COMMENTS:

6. ADJOURNMENT:

The Meeting adjourned at 7:29 p.m.

Karissa Cook, Administrative Assistant