



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, May 19, 2025

6:30 PM

Deltona Commission Chambers

PUBLIC FORUM: 6:00 PM - 6:30 PM

BUSINESS MEETING - 6:30 PM

1. CALL TO ORDER:

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

2. ROLL CALL – CITY CLERK:

Present: 7 - Mayor Avila
Vice Mayor Heriot
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Howington
Commissioner Lulli
Commissioner Santiago

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by the District #3 Commissioner.

Honoring Veterans:

- = Dr. Cristina Raimundo - Marine Veteran**
- = Eric Raimundo - Navy & Marine Veteran**

4. ADDITIONS AND DELETIONS:

Mayor Avila requested to add to the agenda an update on projects from our Volusia County Councilman and the Commission concurred.

5. PRESENTATIONS/AWARDS/REPORTS:

A. Super Star Student Awards for the fourth grading period of school year 2024/2025

B. Presentation - First Annual Best of Deltona Readers' Choice Awards Gala

Joseph Hearn, Joe Hearn Event - Event Director
Perla Bello-Crosby, Founder and Publisher
My Deltona Magazine and My Sanford Seminole Magazine

C. **Presentation - Love Your Heart 5K Check Presentation to the American Heart Association**

D. **Proclamation - National Public Works Week - May 18-24, 2025**

6. DELTONA COMMUNITY EVENTS:

7. CONSENT AGENDA:

Motion by Commissioner Lulli, seconded by Commissioner Santiago, to approve the Consent Agenda 7-A and 7-B as presented. The motion carried by the following vote:

For: 6 - Vice Mayor Heriot, Commissioner Avila-Vazquez,
Commissioner Colwell, Commissioner Howington,
Commissioner Lulli, and Commissioner Santiago

Against: 1 - Mayor Avila

A. **Request for approval of minutes of the Regular Commission Meeting of May 5, 2025, as presented.**

Approved by Consent - to approve the minutes of the Regular Commission Meeting of May 5, 2025, as presented.

B. **Request for recognition(s) for the month of June.**

Approved by Consent - to approve the requested recognitions for the month of June.

8. ORDINANCES AND PUBLIC HEARINGS:

A. **Quasi-judicial Hearing - Request for approval of Ordinance No. 12-2024, amending the Official Zoning Map to rezone + 36.46 acres of land located along the North Normandy Boulevard Corridor, south and east of the I-4 Logistics Park IPUD within the Activity Center from single-family residential (R1-AA) to Mixed Use Planned Unit Development (MPUD), at second reading.**

City Attorney Good stated this is a quasi-judicial hearing and to please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to comment on any of these item(s), please indicate the item number you would like to address when the

announcement regarding the quasi-judicial item is made. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony including public testimony and evidence will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be cross-examined or sworn in, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions on their behalf. The full agenda packet on each agenda item is hereby entered into the record. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the City Clerk. At this time, Commissioners must disclose any ex-parte communications concerning items on the agenda and that is for this agenda item only, Item 8-A.

Each Commissioner disclosed their ex-parte communications.

City Attorney Good swore in everyone that wished to speak on this item.

City Attorney Good read into the record the title of Ordinance No. 12-2024.

The Planning and Development Director stated the item passed by a 4/3 vote at first reading and after Commission feedback three key revisions were done in the Development Agreement.

The Commission, City Attorney, staff and the Applicant Scott Banta spoke about pending lawsuit, concerns on North Firwood Drive, VSO deterrents, Ruth Ave access and installing a barricade.

Applicant Scott Banta, 111 North Ronald Reagan Blvd., Longwood, FL, spoke about agreeing to terms from last meeting, creating and maintaining a barricade, what streets would have activity, he is not part of any pending lawsuit, working on the project for 5 years, owning all blocks 1-10, and that Cobb Cole is his only attorney.

City Attorney Good stated he has confirmed and their LLC is not listed among the plaintiffs on the other action.

The Commission and the applicant spoke about litigation, agreeing to Commission changes, creating and maintaining a barricade, truck traffic and restricting it, Rhode Island, Amazon traffic, and Normandy intersection.

Several Commissioners indicated their concerns regarding truck traffic and the applicant, Mr. Banta, replied he would be happy to work with staff and VSO on signage to be added to the Development Agreement and he would pay for the signs.

City Attorney Good confirmed he went through the parcel numbers and none of them match up with those involved in the pending lawsuit.

The Mayor opened and closed the public comments for those with standing as there were none.

The Mayor opened the public comments for those without standing and Kathy Bryan addressed the City Commission.

Motion by Commissioner Lulli, seconded by Vice Mayor Heriot, to approve Ordinance No. 12-2024, amending the official zoning map to rezone 36.46-acres of land from R1-AA to MPUD, at adoption.

Commissioner Howington requested that Mr. Banta incorporate landscaping of native plants into the Development Agreement and he agreed.

City Attorney Good swore in a resident with possible standing.

The Mayor reopened the public comments for the resident with possible standing and he addressed the City Commission.

The Commission, the applicant and staff spoke about the buffer, the applicant receiving assistance/consultants, and the traffic study is still under review.

The motion failed by the following vote:

For: 3 - Vice Mayor Heriot, Commissioner Lulli, and Commissioner Santiago

Against: 4 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Howington

B. Public Hearing - Request for approval of Ordinance No. 09-2025, amending Article VIII, "Rental Properties" by incorporating changes from the Florida Statutes, including provisions on purpose, standards, and application process, at second reading.

City Attorney Good read the title of Ordinance No. 09-2025 for the record and he explained changes made since first reading.

Motion by Commissioner Colwell, seconded by Commissioner Lulli, to approve the item.

The Planning and Development Director requested an amendment to the proposed regulations by reducing the required inspection intervals for registration of vacation rentals from five (5) to three (3) years.

Amended motion by Commissioner Colwell, seconded by Commissioner Lulli, to amend the proposed regulations by reducing the

required inspection intervals for registration of vacation rentals from five (5) to three (3) years.

The Commission and staff spoke about the inspection fees and fees covering the costs.

The Planning and Development Director suggested raising the long-term rental inspection fee from \$50 to \$75 and the vacation rental inspection fee from \$50 to \$75.

The Commission and staff spoke about who is charged the fee, out of State/Country owners, tracking, and registration.

Commissioner Lulli withdrew his second.

Amendment to the amended motion by Commissioner Colwell, seconded by Commissioner Lulli, to raise the long term rental inspection fee from \$50 to \$75 and the vacation rental inspection fee from \$50 to \$75.

The Mayor opened the public comments and Jean Armstrong, David Sosa, and Dana McCool addressed the City Commission.

The Commission and staff spoke about the inspection fee, who the inspections are done by, and the typical cost for an inspection.

The amendment to the amended motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

C. Public Hearing - Request for approval of Ordinance No. 25-2025, Amending the General Ordinances, Section 1-15, "General Penalty," of Chapter 1, "General Provisions," to update penalties and enforcement mechanisms and Section 38-73, "Loud Disturbing or Unnecessary Noises," of Article III "Noise," of Chapter 38, "Environment," to eliminate the requirement for sworn affidavits, at first reading.

City Attorney Good read the title of Ordinance No. 25-2025 for the record and gave a brief description of the item.

Motion by Vice Mayor Heriot, seconded by Commissioner Colwell, to approve Ordinance No. 25-2025 amending the general ordinance, Section 1-15, "General Penalty," of Chapter 1, "General Provisions," to update penalties and enforcement mechanisms and Section 38-73, "Loud Disturbing or Unnecessary Noises," of Article III "Noise," of Chapter 38, "Environment," to eliminate the requirement for sworn

affidavits, at first reading.

The Mayor opened the public comment and Kathy Bryan, Dana McCool, Courtney Cross-Burgos, and Adrian Crutchfield addressed the City Commission.

The Commission and City Attorney Good spoke about illegal fireworks, enforcement being challenging, working with VSO, not including fireworks to the ordinance, and revisiting fireworks.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

D. Public Hearing - Request for approval of Ordinance No. 26-2025, amending the General Ordinances to establish Article V, "City Parks and Facilities," of Chapter 58, "Streets, Sidewalks, and Other Public Places," to provide rules and regulations pertinent to city parks and facilities, at first reading.

City Attorney Good read the title of Ordinance No. 26-2025 for the record and gave a brief description of the item.

Motion by Vice Mayor Heriot, seconded by Commissioner Lulli, to adopt Ordinance No. 26-2025, at first reading.

The Mayor left the meeting at 8:20 p.m.

The Vice Mayor opened and closed the public comments as there were none.

The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor Heriot, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

Against: 1 - Commissioner Avila-Vazquez

9. ACTION ITEMS:

A. Request for approval of Resolution No. 2025-58 Settlement Agreement and Release Maverick Bench Media v City of Deltona Case 2021-11135-CIDL. City Attorney's office.

City Attorney Good read the title of Resolution No. 2025-58 for the record and gave a brief description of the item.

The Mayor returned to the meeting at 8:22 p.m. and he stated for the record he votes in

favor of the prior item.

Motion by Commissioner Lulli, seconded by Commissioner Howington, to approve Resolution No. 2025-58.

The Mayor opened and closed the public comments as there were none.

The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

B. Consideration of the City of Deltona's participation in the Best Foot Forward Pedestrian Safety Program.

City Attorney Good read the title of the item.

Motion by Commissioner Santiago, seconded by Commissioner Avila-Vazquez, to deny the request for potential participation in the Best Foot Forward Pedestrian Safety Program.

The Commission and staff spoke about needing more data, looking into safety improvements, grants, VSO sidewalk program, the current budget and next year's budget, collaborate with VSO and TPO (Transportation Planning Organization), school crossings and crossing guards, cameras, VSO reports and CompStat, duplicating existing programs, whether or not to participate, the selection of areas, the need, professional recommendation, more specific direction, walkability, and connectivity of trails.

The Mayor opened and closed the public comments as there were none.

The motion carried by the following vote:

For: 4 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Santiago

Against: 3 - Vice Mayor Heriot, Commissioner Howington, and Commissioner Lulli

ADD-ON ITEM: Update on Volusia County projects presented by Volusia County Councilman David Santiago.

Volusia County Councilman Santiago addressed topics brought up by the Commission and residents to include Howland Blvd. repairs, Howland Blvd. and I-4 interchange, Deltona High School road crossing, Rhode Island Extension and I-4 Ultimate, Saxon Blvd. improvements, Doyle Road near Osteen Elementary, ECHO Funds, Transform386, Osteen JPA (Joint Planning Agency), and county road designation program.

C. Discussion of renovations exceeding \$50,000 at City Facilities.

City Attorney read the title of the item.

Motion by Commissioner Colwell, seconded by Commissioner Howington, to approve renovations exceeding \$50,000 at City facilities coming before the Commission for approval.

The Commission, City Manager and staff spoke about the renovations being budgeted, repeating approvals, hindering the process, actual project expenditures, project list including cost, department level summary of expenditures, mid-year adjustments, the budget process, infrastructures, reviewing renovation projects, more detailed information, and requests for information vs. public records requests.

The Mayor opened and closed the public comments as there were none.

The Commission and staff spoke about reviewing detailed data, and exempt information.

The Mayor called point of order, the discussion is off topic.

The Commission, City Attorney and staff spoke about requesting information, cyber security, one on one meetings, challenges in City Hall, the need for renovations, customer service improvements, having a one-stop shop, presentation on the improvements being pursued, and making business more streamlined.

The motion failed by the following vote:

For: 3 - Commissioner Avila-Vazquez, Commissioner Colwell, and Commissioner Howington

Against: 4 - Mayor Avila, Vice Mayor Heriot, Commissioner Lulli, and Commissioner Santiago

D. Discussion regarding the Commission Travel Policy and the City Commission Operating Guidelines & Meeting Rules and Procedures.

City Attorney Good read the title of the item which is only regarding the scheduling of the items.

The City Manager stated this was something he talked to each of the Commission about a little bit. Staff have tried to schedule some workshops, and he knows there has been discussion where some Commissioners were not excited about Saturday meetings. Staff have tried to pick a Monday, unfortunately the first two respondents said they were not able to make it which leads to a great point to discuss tonight. If staff schedules a workshop staff would like to have seven commissioners at the workshop. Four is obviously a quorum and the Commission cannot make decisions at a workshop. He has three questions, and he explained the reasons for each question. The Mayor went down the dais and each

Commissioner gave their answers to the three questions.

One, how many Commissioners in attendance at a meeting is a quality number? The majority of the Commission concurred they are good with a quorum of the Commission in attendance at meetings.

Two, can one or two of the workshop topics be placed at the end of a Regular Commission Meeting agenda for discussion? The majority of the Commission concurred they do not want to add the topics to a Regular Commission Meeting.

Three, is any Commissioners interested in Saturday meetings? Every other Monday workshops is obviously a potential, but staff already asked for one and at least two Commissioners were not available. The majority of the Commission concurred they are good with Saturday meetings if available and not all day, but they prefer the current second and fourth Monday schedule.

The Mayor opened the public comment and Kathy Bryan, Matthew Borgens, David Sosa, and Courtney Cross-Burgos addressed the City Commission.

10. CITY ATTORNEY COMMENTS:

City Attorney Good requested an Executive Session on the stone island litigation and the Commission concurred. He also, provided an update on the no solicitation ordinance and the lobbyist registration ordinance.

11. CITY MANAGER COMMENTS:

The City Manager provided a reminder of what took place at the March 28th workshop. The Golden Book is online where it can be updated and printed. There is a request for over \$30 million that is at the Federal level at this point with the Army Corps in reference to the CRA (Community Redevelopment Agency). A lot of the CRA area is on septic and restaurants cannot come into a septic area. The possible \$30 million would be used to put sewer in that area. Before utilizing funds for the CRA we want to see what happens with this funding which could take a few months.

12. CITY COMMISSION COMMENTS, REQUESTS & REPORTS:

Commissioner Lulli requested a consensus for a presentation for City Hall renovations and to schedule one-on-one discussions and the Commission concurred.

Commissioner Lulli spoke about Keep Deltona Wild, native plants and Arbor Day.

Commissioner Colwell requested an underlined/strikethrough travel policy and an update on code enforcement and sweeps/zones.

Commissioner Howington and staff spoke about \$5 million in unencumbered funds for Parks & Recreation, having a consultant on board for impact fees, Legislation restrictions to impact fees, AI advertising, farmers market, and 101 Paws and Paws meet and greet.

Commissioner Avila-Vazquez spoke about Commission attendance, Hurricane Awareness Town Hall, High School graduates, Boys and Girls Club event, the Golden Book, the smoking ordinance, VEMA (Veteran Enforcers Motorcycle Association) bike ride, and the Memorial Day event at Veterans Park.

Commissioner Santiago spoke about ECHO funds and Transform386, and Veterans in attendance.

The Vice Mayor spoke about the fertilizer ordinance, Water Safety Proclamation, relocation of Deltona Water customer service, Arbor Day, and comments regarding the Halifax Crossing development.

The Vice Mayor requested a consensus to bring back for consideration the Halifax Crossing development.

The Mayor called for a point of order, the applicant has requested to come back to the second meeting in June.

The Mayor requested to discuss the expansion of the building at Harris Saxon Park, and American Legion banners.

Motion by Mayor Avila, seconded by Vice Mayor Heriot, for the Sergeant David G. Ledgerwood American Post 255 be given a 100-year lease at one dollar (\$1) a year and allow them to own their building, not the museum.

The Commission spoke about the Veterans' museum vs. the American Legion's building and the process.

Vice Mayor withdrew his second.

Amended motion by Mayor Avila, seconded by Vice Mayor Heriot, to place on the next Regular Commission Meeting that the Sergeant David G. Ledgerwood American Post 255 be given a 100-year lease at one dollar (\$1) a year and allow them to own their building, not the museum. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor Heriot, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Howington, Commissioner Lulli, and Commissioner Santiago

13. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:54 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK