



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, April 17, 2023

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

Present: 5 - Mayor Avila
Commissioner Avila-Vazquez
Commissioner Burbank
Commissioner Colwell
Commissioner McCool

Absent: 2 - Vice Mayor Bradford
Commissioner JodyLee

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by District #5 Commissioner.

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes of the Regular Commission Meeting of April 3, 2023, as presented. - Joyce Raftery, City Clerk (386) 878-8502.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner McCool, to approve the minutes of the Regular Commission Meeting of April 3, 2023, as presented. The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Burbank, Commissioner Colwell, and Commissioner McCool

5. PRESENTATIONS/AWARDS/REPORTS:

6. PUBLIC FORUM: Citizen comments are limited to issues and concerns not on the agenda and comments on items listed on the agenda will take place after discussion of each item. Please be courteous and respectful of the views of others. Members of the City Commission shall not enter into discussion or respond to individuals' comments during the public forum other than to give directions or to ask for clarification. However, individual Commissioners may wish to respond under their "City Commission Comments". Personal attacks on Commission members, City staff or members of the public are not allowed, and will be ruled out of order by the Mayor. Citizen comments for any items. (4 minute maximum length per speaker).

Robert M. Schengber, Billy Fowler, Marcy Mead, Kathy Bryan, and David Sosa addressed the City Commission.

7. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Ordinance No. 07-2023, repealing Ordinance No. 11-2018, Chapter 96-Improvements-Article II-Design and Construction Standards of Improvements-Section 96-34-Water and Sewer, (c) Sewer Facilities; By creating a new Subsection (C) 7-Relating to Sewer Connection; Repealing New Subsection (C) 7-Relating to Sewer Connection. - City Manager (386) 878-8858.**

Strategic Goal: Infrastructure

The City Manager stated this is a repeal of an Ordinance that is not lawful according to the Statutes of Florida and that staff is trying to clean up the Ordinances as we go forward.

The Commission and the City Manager discussed new development, State law, septic systems, what is required, new standards, no forced connections, funding, and the State's position.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner McCool, to adopt Ordinance No. 07-2023 at first reading and to schedule second and final reading. The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Burbank, Commissioner Colwell, and Commissioner McCool

- B. Resolution No. 2023-02 - Variance request to allow the development of a Single-Family Dwelling on an existing 50-foot wide lot with an area of ±5,000 square feet within the R1, Single-Family Zoning District located at 3602 Apple Orchard Drive. - Joseph Ruiz, Planning & Development Services Interim Director**

Strategic Goal: N/A

Planning & Development Services Assistant Director Joe Ruiz gave a brief presentation to include the Variance Request, Background, Background of Carnell Plat, Matters of Consideration, Matters of Consideration Highlights, R1 Requirements Versus Proposal, Proposed Single-Family Dwelling, and Staff Recommendation.

The Commission and staff discussed the plans, the character of the area, type of home, and meeting code requirements.

Mayor Avila opened the public comments.

Ryan Lee Kidd, John Fugera, Anthony Leroy, and Christopher Kable addressed the City Commission.

Mayor Avila closed the public comments.

The Commission, the City Manager, City Attorney, staff and the applicant discussed flooding, septic, the code, marketing the property, the title search, zoning, engineers, non-conforming lots, the history, property rights, the process, maximum lot coverage, impervious surface areas, elevations, and property rights.

The City Attorney read Resolution No. 2023-02 for the record.

Motion by Commissioner Burbank, seconded by Commissioner Colwell, that the City Commission deny the variance request for Resolution No. 2023-02 on the grounds that it does not fit into the rest of the neighborhood and there are flooding concerns. The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Burbank, Commissioner Colwell, and Commissioner McCool

8. OLD BUSINESS:

9. NEW BUSINESS:

10. COMMENTS ON CONSENT ITEMS: Citizen comments are limited to issues and concerns on the Consent Agenda item(s). Please complete a public participation slip and indicate in the subject line the issue you wish to address. Members of the City Commission shall not enter into discussion or respond to individuals' comments during the public forum other than to give directions or to ask for clarification. Please be courteous and respectful of the views of others. Personal attacks on Commission members, City staff or members of the public are not allowed, and will be ruled out of order by the Mayor.

11. CONSENT AGENDA: The Consent Agenda contains items that have been determined to be routine and non-controversial. If discussion is desired by any member of the City Commission, that item must be removed from the Consent Agenda and considered separately. All other matters included under the Consent Agenda will be approved by one motion. Citizens with concerns should address those concerns by filling out a public participation slip and giving it to the Deputy City Clerk prior to Consent Agenda items being pulled.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Burbank, to approve Consent Agenda Items 11-A through 11-F. The motion carried by the following vote:

For: 5 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner Burbank, Commissioner Colwell, and Commissioner McCool

- A. Request for approval of the proposed contract between the City of Deltona and Axis Infrastructure - Proposal for public scoping regarding land planning and development matters - RFP #23003 - Joseph Ruiz, Planning and Development Services Interim Director (386) 878-8624.

Strategic Goal: Community Development and Redevelopment

Approved by Consent Agenda - to approve the proposed contract with Axis Infrastructure.

- B. Request approval of the Task Authorization with Mead & Hunt for the Deltona Lakes/Fisher WRF Planning Analysis, in accordance with their agreement with the City of Deltona Utility Plant Engineering Services RFQ PW-2020-10, in the amount of \$82,567.00 - Glenn Whitcomb, Public Works/Deltona Water (386) 878-8929.

Strategic Goal: Infrastructure

Approved by Consent Agenda - to approve the Task Authorization with Mead & Hunt for the Deltona Lakes/Fisher WRF planning analysis, in the amount of \$82,570.00. The City Manager has the authority to make corrections of scrivener's errors and the like.

- C. Request approval to authorize issuance of a Purchase Order to Whitehouse Masonry to install, repair or replace sidewalk throughout the City for FY 22/23 in the amount of \$250,000. The City has a current contract with Whitehouse Masonry as executed on November 8, 2021 and remains valid until November 2023 - Glenn Whitcomb, Public

Works/Deltona Water (386) 878-8929.**Strategic Goal: Infrastructure**

Approved by Consent Agenda - to approve the request for issuance of PO to Whitehouse Masonry in the amount of \$250,000 for sidewalk installation. The City Manager has the authority to make corrections of scrivener's errors and the like.

- D. **Request approval to utilize the Piggy Back Contract with P&S Paving for milling & resurfacing consistent with the competitively bid contract with Volusia County - Glenn Whitcomb, Public Works/Deltona Water (386) 878-8929.**

Strategic Goal: Infrastructure

Approved by Consent Agenda - to approve the request utilize a piggy back contract between Volusia County & P&S Paving for milling & resurfacing of roadways Citywide. The City Manager has the authority to make corrections of scrivener's errors and the like.

- E. **Request approval to utilize the Piggy Back Contract with Fausnight Stripe & Line for thermoplastic striping (aka permanent pavement marking) consistent with the competitively bid contract with Seminole County - Glenn Whitcomb, Public Works/Deltona Water (386) 878-8929.**

Strategic Goal: Infrastructure

Approved by Consent Agenda - to approve the request to utilize a piggy back contract between Seminole County & Fausnight Stripe & Line for thermoplastic striping (aka permanent pavement marking). The City Manager has the authority to make corrections of scrivener's errors and the like.

- F. **Request for approval to contract with CivicPlus for City website redesign. - Catherine Barker, Public Information Office (PIO), (386)878-8755**

Strategic Goal: Accurate, Timely and Identifying Communication

Approved by Consent Agenda - to approve the contract with CivicPlus for the website redesign.

12. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:

Commissioner Avila-Vazquez requested that the VSO (Volusia Sheriff's Office) have a Town Hall Meeting on Opium and how to use Narcan to save a life and she requested the City Manager follow up on that.

Commissioner McCool stated her earlier request for a distracting driver campaign has been followed through with and is forth coming.

Mayor Avila asked if as a Commission are we putting someone in charge of cleaning the Little Red School House and VCEP (Veterans Community Education Partnership for West Volusia Inc.)? The City Manager stated it is his understanding that staff is finishing up cleaning the Little Red School House and Commissioner Burbank did go in there and pull a lot of material out that was he does not believe had much value. As for VCEP, Commissioner Burbank went to that group that are in charge of that building and got permission to go in, sort through things and clean it up. The City owns the buildings but, VCEP has use of it and control of the contents. If any City material is removed it has to go through the City Clerk's Office for the proper process. Mayor Avila requested that the City get that under control, if possible.

13. CITY ATTORNEY COMMENTS:**14. CITY MANAGER COMMENTS:**

The City Manager discussed cleaning up the Code and the status of infrastructure, the contract for paving and resurfacing streets, the meter reading exchange and installation, and the Planning & Development review process.

Commissioner McCool requested that the City Manager follow up on Former Commissioner David Sosa's questions.

15. CITY COMMISSION COMMENTS:

Commissioner Avila-Vazquez spoke about the CompStat Meeting, the Job Fair, the West Volusia Community Housing Fair & Financial Wellness Clinic, Arbor Day, the Bacon and Brew Event, and Pasta Night at the Sons and Daughters of Italy.

Commissioner McCool spoke about the meeting attendance, the chicken ordinance, the community gardens, her cancer fundraiser, her relationship with Commissioner Avila-Vazquez, and being grateful for everyone's support.

Mayor Avila spoke about the Spring Flag Football registration, the Mayor's 5K Fun Run, the Daddy Daughter Dance, the City Attorney, and the golf course contract and reclaimed water.

16. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:03 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK