



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, February 19, 2024

6:30 PM

Deltona Commission Chambers

DECORUM POLICY: The City of Deltona has a significant interest in conducting orderly and efficient public meetings, which includes preventing disruption, promoting civility, and preserving decorum. To that end, behavior which disrupts or impedes the efficient and orderly conduct of any public meeting, as determined by the Mayor, or presiding officer, or a majority of the City Commission, is not permitted. The Mayor, or presiding officer, or a majority of the City Commission, may interrupt, warn, or terminate a speaker's statement when that statement is too lengthy, personally directed, abusive, obscene, irrelevant, or otherwise reasonably perceived to be a disruption to the fair and orderly progress of the discussion at hand. The Mayor, or presiding officer, or a majority of the City Commission, may also interrupt any part of the meeting to warn any individual that they are being disruptive or otherwise impeding the efficient and orderly conduct of the meeting. The Mayor, or presiding officer, or a majority of the City Commission, may require any individual to leave a public meeting for its duration if that individual is unable to observe this Policy after being warned. Should an individual be required to leave a meeting for violating this Policy, that person shall be escorted from Commission Chambers by a Volusia Sheriff's Deputy.

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

Present: 6 - Mayor Avila
Vice Mayor JodyLee
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner McCool
Commissioner Shimkus

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation Presented by District #3 Commissioner.

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes of the Special Commission Meeting of January 20, 2024, and Regular Commission Meeting of February 5, 2024, as

presented. - Joyce Raftery, City Clerk (386) 878-8502.

Motion by Vice Mayor JodyLee, seconded by Commissioner Avila-Vazquez, to approve the minutes of the Special Commission Meeting of January 20, 2024 and Regular Commission Meeting of February 5, 2024, as presented. The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

5. PRESENTATIONS/AWARDS/REPORTS:

A. Presentation - VSO End of Year Review presented by Captain Eric Powers

This item was pulled from the agenda.

B. Presentation - VSO Citizen Awards

This item was pulled from the agenda.

C. Request for consideration to place a statue of Dr. Martin Luther King, Jr. outside The Center at Deltona - Glenn Whitcomb, City Manager, (386) 878-8858.

The Interim City Manager and Mr. Mike Williams gave a brief explanation of the item.

After discussion, the Commission concurred to move forward with the installation of the MLK Jr. bust at the entrance of The Center at Deltona.

D. Proclamation - World Encephalitis Day

After the reading of the Proclamation, the Commission concurred to have any of the City's landmarks lit up in red in honor of the #REDforWED campaign on February 22, 2024.

6. PUBLIC FORUM: Public comments during Public Forum are limited to items of City business that are listed on the Agenda and/or items that are not listed on the Agenda. Comments regarding listed Agenda items will take place after discussion of each item. Please be courteous and respectful of the views of others. In order to address the Commission, citizens must fill out a public participation slip and give it to the Deputy City Clerk. All citizen comments are limited to 4 minutes and shall be addressed to the Mayor or the Commission as a whole. Members of the City Commission shall not enter into discussion or respond to a citizen's comments other than to give directions or to ask for clarification. However, individual Commissioners may choose to respond under the "City Commissioner Comments" portion of the meeting.

Doug MacDonald, Christian O'Brien, Terri Ellis, and Richard Bellach addressed the City Commission.

Commissioner McCool called point of order due to personal attacks by Mr. Bellach.

Commissioner McCool again called point of order and Commissioner Avila-Vazquez seconded, to have Mr. Bellach removed from the Commission Chambers. The Commission voted in favor as follows:

For: 5 - Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

Against: 1 - Mayor Avila

William Mabry, Kathy Bryan, and Elbert Bryan addressed the City Commission.

7. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Resolution No. 2024-13, Community Development Block Grant Public Service (CDBG) 2023-2027 Consolidated Plan and Annual Action Plan Allocations for Program Year 2023-2024. Angelia Briggs, Housing and Community Development Manager, (386)878-8614.**

Strategic Goal: Fiscal Issues-Grant management

Angelia Briggs, Manager of Housing and Community Development read statements for the record.

The Commission and staff discussed Hands of Hope, specific assistance, the homeless, in 45 days workshop (budget workshop) the topic, other funding sources, technical revision, time counts, higher level of pulse on the community, qualifying for funds, and joint meeting

with the County.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner McCool, to approve Resolution No. 2024-13, Community Development Block Grant (CDBG) 2023-2027 Consolidated Plan, and the 2023-2024 Annual Action Plan including Public Service allocations to Department of Housing and Urban Development (HUD). The Interim City Manager is hereby authorized to execute the federal forms and certifications required for resubmittal.

Kathy Bryan and Terri Ellis addressed the City Commission.

The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

B. Public Hearing - Request for approval of the program year 2022-2023 Community Development Block Grant (CDBG), Consolidated Annual Performance and Evaluation Report (CAPER) - Angelia M. Briggs, Manager, Housing and Community Development.

Strategic Goal: Community Development.

Angelia Briggs, Manager of Housing and Community Development gave a brief explanation of the item.

The Commission and staff discussed use of funds, last year's expenditures, and fund carryovers.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Colwell, to approve the Program Year 2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER) and direct the Interim City Manager to transmit the report to the U.S. Department of Housing and Urban Development. The Interim City Manager has the authority to make corrections to scriveners' errors and the like. The motion carried by the following vote:

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

8. OLD BUSINESS:

A. Motion for rehearing of Ordinance No. 03-2024, Request to amend the Official Zoning Map to rezone a +1.37-acre parcel of land located at 3150

**Howland Boulevard from Professional Business (PB) to City of Deltona
Retail Commercial District (C-1) - Jessica Entwistle, Planning &
Development Services (386) 878-8600.**

Strategic Goal: Economic Development

Jessica Entwistle, Planner II, gave a brief explanation of the item and the process for rehearing.

Bill Barfield, 225 South Westmonte Drive, Suite 2040, Altamonte Springs, spoke about the location, the staff report, a resident's comments, the previous 3/2 vote, substantial competent evidence, two Florida legal cases, restrictions, and reasons for denial.

Motion by Commissioner Shimkus, seconded by Commissioner McCool, to grant a rehearing of Ordinance No. 03-2024 for the following reasons, there was not substantial evidence presented at the last vote that would indicate a reason for denial.

Elbert Bryan addressed the City Commission.

The motion carried by the following vote:

For: 4 - Mayor Avila, Commissioner Avila-Vazquez, Commissioner McCool, and Commissioner Shimkus

Against: 2 - Vice Mayor JodyLee, and Commissioner Colwell

9. NEW BUSINESS:

- A. Request approval to purchase new Park Maintenance replacement vehicles from Duval Ford using approved budgeted funds for vehicle replacement & new vehicles not to exceed \$417,607.86. - Mark Manning, Parks & Recreation (386) 878-8905.**

Strategic Goal: Infrastructure

Mark Manning, Parks & Recreation Director, gave a brief explanation of the item.

The Commission and staff discussed tabling the item, saving money and different pricing, the procurement policy, fuel efficiency, working toward a reduction in cost, and long term policy implications.

Motion by Vice Mayor JodyLee, seconded by Commissioner McCool, to table this item to the 1st meeting in March.

The Interim City Manager requested that the item be tabled to the 2nd meeting in March to allow staff more time as there are certain governmental policies that staff needs to make sure the City is meeting.

Vice Mayor JodyLee retracted his motion and Commissioner McCool retracted her second.

Motion by Vice Mayor JodyLee, seconded by Commissioner McCool, to table this item to the 2nd meeting in March.

Elbert Bryan addressed the City Commission.

The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

- B. Request for approval and authorization to purchase three (3) new 2024 Chevrolet Silverado 2500HD's Double Cab WT, 4x2 from Duval Chevrolet of Jacksonville, FL, as found pricing through Bradford County Sheriff's Contract BCSO 22-27-1.-0. in the amount of \$80,517.26 each vehicle for a grand total not to exceed \$241,551.79, resolution, and budget amendment for \$35,000. - Danny Ron, Code Compliance Manager (386) 878-8702.**

Strategic Goal: Infrastructure/Equipment Replacement

The Interim City Manager requested to pull this item from the agenda.

- C. Request approval for Resolution No. 2024-06 and budget amendment for the EMS Captain position agreed upon in the CBA and the purchase of a vehicle for this position. - Fire Chief Bill Snyder, Fire Department (386) 575-6902.**

Strategic Goal: Public Safety

Fire Chief Snyder gave a brief explanation of the request.

The Commission, Interim City Manager and staff discussed the budget process and the CBA (Collective Bargaining Agency) completion, fleet itemization sheet, different quotes, number of current department SUVs, fuel efficiency, retired vehicles and pool vehicles, new hire timeline, negotiations, where is the funding coming from, sharing system, pricing, previous vehicle purchases, needing rugged vehicles, and equipment included.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner McCool, to approve the resolution and budget amendment for the EMS Captain position agreed upon in the CBA and the purchase of a vehicle for this position.

The Commission and staff discussed budget amendments and furniture.

The motion carried by the following vote:

For: 4 - Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

Against: 2 - Mayor Avila, and Vice Mayor JodyLee

- D. Contract - Request for approval to expend no more than \$40,000.00, per household, in Florida Housing Finance Corporation State Housing Initiatives Partnership (SHIP) funds for the Owner-Occupied Repair projects, listed below. - Angelia M. Briggs, Manager, Housing and Community Development (386) 878-8614.**

Strategic Goal: Community Development.

Angelia Briggs, Manager of Housing and Community Development, gave a brief explanation of the item.

The Commission and staff discussed construction costs, qualified vendors, architectural shingles, insurance requirements, going over budget, possible issues, delaying the projects, itemized checklist, home inspection, the process, SHIP mandates, the qualifying process, and State funding.

Motion by Commissioner Colwell, seconded by Vice Mayor JodyLee, to approve the amendment with the addition to only allow \$4,000 over the estimated amount, per resident. The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

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.

12. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:

Commissioner McCool stated the TPO (Bicycle & Pedestrian Advisory Committee (BPAC) City representative has resigned and she spoke with former Commissioner Ramos who is interested in serving on that committee. The Interim City Manager stated the item can be placed on the next agenda for a vote.

Commissioner McCool requested to honor Veterans in the community each month similar to Superstar Students and provide something to the Commission within 2 months. The Interim City Manager suggested staff get together and create a policy to be brought back to the Commission.

After discussion, the Commission concurred to have staff move forward with a policy/procedure to honor Veterans which will be brought back to the Commission within 2 months.

Commissioner McCool requested to move away from the title "Code Enforcement" and "Code Compliance" and change it to "Community Service Officers" to be friendlier for the City.

Commissioner Avila-Vazquez stated the City had a Memorial Day event planned for this year and the City was approached by CVMA (Combat Veterans Motorcycle Association) who requested to partner with the City on a Memorial Event. The Commission agreed at a recent meeting to support the event and the VSO (Volusia Sheriff's Office) has also agreed to support the event. The Parks & Recreation Director stated this item will be coming before the City Commission for approval in the future.

Commissioner Colwell requested a report on the sweeps that Code Compliance is doing throughout the City.

Vice Mayor JodyLee requested a consensus to put out to bid for a payroll company. The Interim City Manager replied staff met this morning on this and we need to capture what Human Resources' and Finance's needs are. Staff will be meeting in a week and it will go out for an RFP (Request For Proposal).

Vice Mayor JodyLee requested that if the item brought up by a resident for Tyler Technologies has not been paid yet, that the City needs to revisit it. The Interim City Manager replied it has not been paid, the purchase order has just been issued and a lot of

leg work has to be done. He will look into it and let the Commission know.

Vice Mayor JodyLee requested a copy of what it cost for pipe, man hours, and couplings for the HOA (Homeowners Associations) that was brought up by Mr. Bryan during public comments. The Interim City Manager replied the pipe itself we had, we got the coupling and of course the man hours to put the pipe together.

13. CITY ATTORNEY COMMENTS:

14. CITY MANAGER COMMENTS:

The Interim City Manager reminded everyone of the 5K run Saturday at Dewey O. Boster Park at 8:00 a.m., the Job Fair on February 28th at The Center at Deltona from 2:00-6:00 p.m., and Wags n Wiskers event on March 2nd at Keysville Dog Park from 9:00 a.m. to Noon.

15. CITY COMMISSION COMMENTS:

Commissioner Avila-Vazquez read a statement from a resident concerning the proclamation for Scientology and requested that when residents come to the other Commission members for assistance that they see it through before passing it along.

The Commission and the Interim City Manager discussed the current process for handling resident complaints and issues, forwarding and copying on emails, and a resolution sent by a resident.

Commissioner McCool discussed a blessing box, Deltona wrestling team needing mats and uniforms with potential contributions from the City and Commission, thanking residents for coming to meetings, Tyler Technology integration issues, residents connecting with staff about problems, public art, budget meetings, employee evaluations, and New Hope.

Vice Mayor JodyLee discussed Code Compliance vehicles, city vehicle accidents, policy violations, and holding employees responsible.

Mayor Avila discussed the Mayor's Fitness Challenge on February 28th, last year's fitness challenge, and this year's military theme.

16. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:01 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK