



## **CITY OF TITUSVILLE COUNCIL AGENDA**

**August 23, 2016  
6:30 PM - Council Chamber at City Hall  
555 South Washington Avenue, Titusville, FL 32796**

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Applicants for land use and zoning related items are advised that the resumes of staff members who prepare applicable staff reports are on file in the City Clerk's Office.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

### **1. CALL TO ORDER**

### **2. INVOCATION**

Pastor Tom Porter of Temple Baptist Church will be present to give the invocation.

### **3. PLEDGE OF ALLEGIANCE**

### **4. APPROVAL OF MINUTES**

#### **A. Minutes**

Approve the minutes of the regular City Council meetings on July 26, 2016 (5:30 p.m.), July 26, 2016 (6:30 p.m.) and August 9, 2016.

### **5. SPECIAL RECOGNITIONS & PRESENTATIONS**

#### **A. Reserved for Presentation(s)**

There may not be adequate time at the regular City Council meeting scheduled on August 23, 2016 at 5:30 p.m. to hear all the presentations as outlined in the agenda. If necessary, the presentation(s) will be heard at this time during the regular City Council meeting on August 23, 2016 that commences at 6:30 p.m.

### **6. BOARDS AND COMMISSIONS**

**A. North Brevard Commission on Parks and Recreation**

Appoint two members to the North Brevard Commission on Parks and Recreation for two-year terms expiring on August 31, 2016.

**B. Municipal Code Enforcement Board**

Appoint one regular member to the Municipal Code Enforcement Board to an unexpired term to expire on October 31, 2018.

**7. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)**

**8. CONSENT AGENDA**

**A. Knox McRae Baffle Box Design**

Approve the award of work order GEOSW001 to Geosyntec Consultants, Inc. in the amount of \$89,581.31 for design of a baffle box in the Knox McRae Basin and authorize the City Manager to execute said work order.

**B. Award Contract to Slip Line Various Gravity Sewer Mains**

Approve the award of a contract to Layne Inliner, LLC for slip lining of various gravity sewer mains throughout the City to Lane Inliner of Sanford, FL for an amount not to exceed \$135,000 for FY 16; and authorize the Mayor to execute the contract.

**C. Approve Work Order - St. Teresa Basin Water Quality Improvement Plan**

Approve budget amendment and the award of work order GEOSW002 to Geosyntec Consultants, Inc. in the amount of \$65,612.54 to perform a Total Maximum Daily Load (TMDL) Study within the St. Teresa basin, and authorize the City Manager to execute said work order.

**D. Approve Work Order - St. Johns Basin Water Quality Improvement Plan**

Approve the award of work order GEOSW003 to Geosyntec Consultants, Inc. in the amount of \$37,055.78 to perform a Total Maximum Daily Load (TMDL) Study within the St. Johns basin and authorize the City Manager to execute said work order.

**E. Interlocal Agreement - Save Our Lagoon Referendum**

Approve the attached Interlocal Agreement regarding the Save Our Lagoon Referendum.

**F. Milling and Paving Associated with Sewer Repairs**

Approve the award of milling and permanent paving of FDOT roadways in the amount of \$36,168 to P&S Paving, Inc. of Daytona Beach, FL, and authorize the City Manager to prepare and execute the necessary contracting instruments to proceed with the work.

**G. Additional Change Order - CIPP**

Approve budget amendment and Change Order # 4 to LMR Construction, Inc. of Frostproof, Florida in the amount of \$220,000 to furnish and install additional Cure In-Place Pipe (CIPP) Liner at the intersection of Hopkins Avenue and Sycamore Street; and authorize the Mayor to execute the change order.

**H. Certified Production Technician Scholarship Fund - Eastern Florida State College Foundation Amending Memorandum of Understanding**

Approve amendments to the Memorandum of Understanding with Eastern Florida State College and authorize the Mayor to execute.

**I. Space Coast Economic Development Commission (SEDC) Quarterly Report for 3rd Quarter FY 2016**

Accept SEDC Quarterly Report for 3rd Quarter Report FY 2016 as submitted.

**9. ORDINANCES – SECOND READING, PUBLIC HEARING AND RELATED ACTION**

**A. Public Hearing and Resolution No. 19-2016 to Transition Stormwater Charges to the Non-Ad Valorem Tax Rolls**

Approve the Resolution No. 19-2016 electing to use the uniform method of collecting non-ad valorem stormwater assessments levied within the incorporated area of the City, as authorized under Section 197.3632, Florida Statutes; adopting findings of fact; stating a need for such levy; providing for the mailing of this resolution; and providing for an effective date.

**B. Ordinance No. 13-2016 - Establishing Community Gardens as a Permitted Use in Urban Village (UV) Zoning District**

Conduct second reading and second public hearing for Ordinance No. 13-2016 amending the Code of Ordinances and Land Development Regulations; by amending Chapter 59, "Zoning", specifically amending Article VI "Special Districts", Division 12 "Urban Village" Section 59-801 to make Community Gardens a permitted use; providing for legal nonconformity status of pre-existing Community Gardens; severability; providing for repeal of conflicting ordinances; providing for incorporation into the code; and providing for an effective date. **(The is the second reading and final public hearing.)**

**The Planning and Zoning Commission recommended approval, 7-0.**

**C. Ordinance No. 14-2016 - Outdoor Seating in the Downtown Mixed Use (DMU) Zoning District**

Conduct the second reading and second public hearing for Ordinance No. 14-2016 amending the Code of Ordinances by amending the uses and use criteria in the Downtown Mixed Use (DMU) District in all subdistricts; by amending Chapter 50, Article XI, Downtown Mixed-Use Smart Code for the Community

Redevelopment Area, Division 3, Uses and Use Criteria; to change food and dining outdoor seating from a Conditional Use to a permitted use; by amending the criteria for specific uses regarding “Outdoor areas of Seating Assembly and/or Music Entertainment”; specifically amending Section 59-1454 “Table of Uses”, food and dining, item 10, by changing conditional use to permitted use and Section 59-1459.11(a) and 59-1459.11(f) by adding clarifying language; providing for severability, repeal of conflicting ordinances, and effective date and incorporation into the Code. **This is the second reading and final public hearing.)**

**The Planning and Zoning Commission recommended approval, 5-2.**

**Second Reading, Public Hearing and Related Action (Quasi-judicial) THE FOLLOWING ITEMS ARE SUBJECT TO QUASI-JUDICIAL RULES OF PROCEDURE. ANYONE WISHING TO SPEAK ON AN ITEM MUST FIRST COMPLETE AN AGENDA SIGN-UP CARD AND SIGN THE OATH CONTAINED THEREON. THOSE SPEAKING IN FAVOR OF A REQUEST WILL BE HEARD FIRST. IF YOU HAVE PHOTOGRAPHS, SKETCHES, OR DOCUMENTS THAT YOU DESIRE FOR CITY COUNCIL TO CONSIDER, THEY MUST BE SUBMITTED INTO EVIDENCE AND WILL BE RETAINED BY THE CITY. SUBMIT THESE EXHIBITS TO THE CITY CLERK.**

**D. Rezoning (REZ) No. 3-2016 - 1000 Cheney Highway**

Conduct Second Reading for Rezoning (REZ) No. 3-2016 and associated Ordinance No. 15-2016 amending the zoning map made a part of said ordinance by reference, by changing the property located at 1000 Cheney Highway, having a parcel id number 22-35-21-bc-8-8.06, from its present Office Professional (OP) zoning classification to the Community Commercial (CC) zoning classification; and providing for an effective date.

**The Planning and Zoning Commission recommended approval, 7-0.**

**10. ORDINANCES-FIRST READING**

**A. Ordinance No. 12-2016 to develop new standards and enforcement procedures for parking citations and amend Section 20 of the Code of Ordinances**

Conduct the First Reading of Ordinance No. 12-2016 Amending Chapter 20 of the Code of Ordinances by amending Sections 20-55 “Penalties”, 20-57 “Procedure” to be renamed as “Procedures Governing Payment of Civil Penalties or Hearings and Proceedings To Enforce Parking Violations”, and by adding a new Section 20-57.1 “Failure to Pay Civil Penalty” ; providing for severability; providing for incorporation into the code; and providing for an effective date.

**B. Ordinance No. 16-2016 Eliminating Annexation Fees**

Conduct the first reading of Ordinance No. 16-2016 amending

the Code of Ordinances by amending Chapter 21 “Utilities”; specifically amending Section 21-1 “Lots served by Governmentally Owned Water/Sewer/Reclaimed Water Lines”; eliminating fees for processing of annexation applications; and amending Chapter 47 “Procedures and Processes”; specifically amending Section 47-297(a) “Annexation or Comprehensive Plan Amendment (CPA)” to eliminate processing and review fees related to annexations; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code.

**11. OLD BUSINESS**

**A. Medical and Pharmacy Coverage for Retirees**

Discussion of a Retiree Benefit Policy and Benefit consideration including \$500 monthly cap on Retiree Healthcare, Opt Out Stipends, Employee Health Center access for Medicare eligible Retirees and implementation date for approved changes.

**12. NEW BUSINESS**

**A. Code Update - Outdoor Display**

Accept the draft regulations relating to outdoor display as an accessory use for commercial uses within the city.

**B. Code Update - Development Standards Chapter and Technical Manuals**

Accept the selected sections of the draft Development Standards Chapter and Technical Manuals.

**C. Stormwater Water Quality CIPs**

Provide direction to staff for the acceleration of stormwater water quality CIPs.

**13. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)**

**14. MAYOR AND COUNCIL REPORTS**

**A. Mayor's Report**

Attached is the Mayor's Report.

**15. CITY MANAGER'S REPORT**

**A. City Manager's Report**

Attached is the City Manager's Report.

**16. CITY ATTORNEY'S REPORT**