



CITY OF TITUSVILLE COUNCIL AGENDA

July 25, 2017

**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 JC Weeks of Crossroads Community Church will give the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

5. SPECIAL RECOGNITIONS & PRESENTATIONS

6. BOARDS AND COMMISSIONS

A. Historic Preservation Board

Accept the Historic Preservation Board's Semi-Annual Report as presented.

B. Planning and Zoning Commission

Accept the Planning and Zoning Commission's Semi-Annual Report as written.

C. Board of Adjustments and Appeals

Appoint two regular members to the Board of Adjustments and Appeals for two-year terms expiring on July 31, 2019.

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

8. CONSENT AGENDA

A. Award of Contract - Fire Station HVAC Improvements

Approve the award contract to Advance Case Parts, Inc. of Coral Springs, FL for the replacement of the HVAC units at Fire Station 10 and Fire Station 13 (Project GC1503, General Construction Account 301-5555-580.65-00) in the amount of \$15,903.74, and authorize the City Manager to execute the contract.

B. Budget Amendment to cover City Group Life Insurance Premiums until the end of FY 2017

Approve Budget Amendment for \$13,410 to pay balance of life insurance premiums for FY 2017.

C. Advisability - Review and Amend Comprehensive Plan Policies and *Land Development Regulations* Relating to Protection of Wetlands

Approve advisability for staff to review and develop amendments to the Comprehensive Plan policies and the *Land Development Regulations* relating to the protection of wetlands.

D. Approve Work Order - La Paloma and St. Teresa Basins Baffle Boxes Design

Approve the award of Work Order CPHSW008 to CPH Inc. for the design of the La Paloma and St. Teresa Basins baffle boxes in the amount of \$78,959.02, approve the attached budget amendment; and authorize the City Manager to execute said Work Order.

E. Easement Agreements - Orlando Utility Commission

Approve and execute two utility easement agreements with the Orlando Utilities Commission (OUC) and the City of Orlando.

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

A. Ordinance No. 19-2017 - Motorcycle Sales in Urban Village (UV) Zoning

Conduct the first reading and first public hearing of Ordinance No. 19-2017 amending Chapter 28 “Zoning” of the Code of Ordinances and Land Development Regulations; specifically amending Section 28-54 “Use Table” to add Sales of Automobile/Vehicle Sales in the Urban Village Zoning District, Section 28-98 “Automobile Sales” related to Sales of Motorized Vehicles and Section 28-363 “Outdoor Display of Merchandise” related to Automobile/Vehicle Sales; providing for severability; repeal of conflicting ordinances; for an effective date and for incorporation into the code. **(This is the first reading and first public hearing. The second reading and final public hearing is scheduled for the regular City Council meeting on August 8, 2017.)**

The Planning and Zoning Commission recommended

approval of the ordinance (4:1). The Member voting in opposition expressed concerns that the proposal was not consistent with the intent of the Urban Village zoning. There were also suggestions to permit the sale of other recreational vehicles, such as jet skis and a request to clarify language that "body work" was included under the term "repairs", which are to be conducted in a closed building.

B. Ordinance No. 21-2017 Relating to Backyard Chickens

Conduct the first reading and first public hearing of Ordinance No. 21-2017 amending chapter 5 "animals", article v "livestock and fowl", by amending section 5-86 "certain animals restricted; permits for certain animals required" by permitting backyard chickens subject to regulations; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code. **(This is the first reading and first public hearing. The second reading and final public hearing is scheduled for the regular City Council meeting on August 8, 2017.)**

The Planning and Zoning Commission recommended approval of the ordinance (4:1) with the recommendation that City Council adopt a registration process and a requirement to attend a class. The P&Z Member voting in opposition recommended a minimum lot size of one-half (0.5) acre.

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.

C. Comprehensive Plan Amendment No. 3-2016 (Adoption)

Conduct Adoption Hearing of Comprehensive Plan Amendment (CPA) No. 3-2016 to amend the Future Land Use Map and rezone approximately 14.7 acres of property located at the southwest corner of U.S. Highway 1 and Dairy Road and approve related ordinances:

Ordinance No. 17-2017 amending the Code of Ordinances by amending Ordinance No. 60-1988, which adopted the Comprehensive Plan of the City of Titusville, by adopting Comprehensive Plan Amendment No. 3-2016 amending the Future Land Use Map of the Comprehensive Plan by changing the Future Land Use Designation for certain property with Parcel ID Number 21-35-28-00-279, located at the Southwest corner of U.S. Highway 1 and Dairy Road, from the Industrial

Future Land Use Designation to the Commercial High Intensity Future Land Use Designation; providing for severability and providing for an effective date.

Ordinance No. 18-2017 amending Ordinance No. 5-1993 of the City of Titusville, Florida, by amending the zoning map made a part of said ordinance by reference by changing the zoning designation on certain property with Parcel ID Number 21-35-28-00-279, located at the southwest corner of U.S. Highway 1 and Dairy Road, from the Industrial (M-2) zoning classification to the Community Commercial (CC) zoning classification; and providing for an effective date.

The Planning and Zoning Commission recommended approval 6-0.

10. ORDINANCES-FIRST READING

A. Ordinance No. 20-2017 Amending the City's Billing and Collection Procedures for Stormwater Management Utility Fees

Conduct First Reading for Ordinance No. 20-2017 amending Chapter 21 of the Code by amending Section 21-266 "Definitions" by amending Section 21-272 "Service charges" by amending Section 21-273 "Service rate charges" by amending Section 21-275 "Fee collection" by amending Section 21-276 "Exemptions or credits applicable to service charges" as adopted in Ordinance No. 43-2012 to amend the billing and collection procedures for stormwater management utility fees providing for severability, repeal of conflicting ordinances, effective date and incorporation into the code.

11. OLD BUSINESS

12. NEW BUSINESS

A. Proposed Tentative Operating Millage of \$7.9250 mils and Proposed Tentative Voted Debt Service Millage at \$0.4079 mils

Set the tentative Operating Millage rate for the FY 2018 budget at \$7.9250 mils, which is 10.00% above the rolled back millage rate of \$7.2046 mils. Set the Voted Debt Service millage rate (Riverfront Acquisition Referendum) at \$0.4079 mils. The maximum levy authorized by the Series 2005 General Obligation Bonds is \$0.5930 mils.

B. Water Main and Sewer Main Payback Agreement with Selen Enterprises, LLC for Victorio's Restaurant

Approve the attached water main and sewer main payback agreement with Selen Enterprises, LLC providing for reimbursement of certain public utility extension costs in event of service connections from the abutting properties stipulated in Exhibit A and B of the Agreement, and authorize the Mayor to execute the document.

- 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**
 - A. Riverfront Park Improvements - Memorandum**

Attached is the Summary of the Special City Council Meeting held in 2012 Regarding the Funding of the Riverfront Park Improvements.