



**CITY OF TITUSVILLE
COUNCIL AGENDA**

**October 10, 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**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
- 5. SPECIAL RECOGNITIONS & PRESENTATIONS**
- 6. BOARDS AND COMMISSIONS**
 - A. Board of Trustees of the General Employees' Pension Plan**

Appoint one member to the Board of Trustees of the General Employees' Pension Plan for a three-year term to expire on September 30, 2020. **(This item was tabled at the regular City Council meeting on September 26, 2017 at 6:30 p.m.)**
 - B. North Brevard County Hospital District Board**

Accept the North Brevard County Hospital District Board's Semi-Annual Report as presented.
 - C. Titusville Housing Authority**

Accept the Titusville Housing Authority's Semi-Annual Report as written.
 - D. North Brevard Commission on Parks and Recreation**

Accept the North Brevard Commission on Parks and Recreation's Semi-Annual Report as written.

E. Student Advisory Council

Accept the resignation of the 11th grade representative of the North Brevard Home School Association, Isabella Kierstead, with regrets. Additionally, appoint Ashley Malizzi as the 11th grade representative of the North Brevard Home School Association to the 2017/2018 Student Advisory Council.

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

8. CONSENT AGENDA

A. Resolution No. 19-2017 and Landscape Construction and Maintenance Agreement for Riverfront Park

Approve Resolution No. 19-2017 authorizing the Mayor to approve and execute the Landscape Construction and Maintenance Memorandum of Agreement with the State of Florida Department of Transportation (FDOT) for Riverfront Park.

B. Award Work Order ECTSW007 for Eads Court Stormwater Retrofit Design

Approve the award of Work Order ECTSW007 to Environmental Consulting & Technology, Inc. (ECT, Inc.) to perform and provide the Eads Court to Satterfield Road Conceptual Stormwater Retrofit Design in the amount of \$17,900 and authorize the City Manager to execute said Work Order.

C. Award of Contract - Mowing & Landscape Maintenance Services

Approve the award of contract, with an initial term of one year and four optional one year renewals to JB's Lawn Control Inc. of Titusville, FL to perform mowing and landscape maintenance services at various City facilities the amount of \$35,990 per year and authorize the City Manager to execute the contract.

D. Brevard County Solid Waste - Hurricane Debris

Approve budget amendment in the amount of \$195,000 for the payment of gate charges associated with disposal of green waste and construction debris through the Brevard County Solid Waste Department. Additionally, authorize the City Manager to issue any purchase order required for this action.

E. Collective Bargaining Agreement between the Florida State Lodge Fraternal Order of Police Inc. (Sgt., Cpl., Officers and 911 Emergency Dispatchers Unit) and the City of Titusville

Approve the Collective Bargaining Agreement between the Florida State Lodge Fraternal Order of Police Inc. and the City of Titusville and approve retroactivity of wages to the first pay period beginning FY 17-18.

F. Collective Bargaining Agreement between the Florida State

Lodge Fraternal Order of Police Inc. (Lieutenants Bargaining Unit) and the City of Titusville

Approve the Collective Bargaining Agreement between the Florida State Lodge Fraternal Order of Police Inc. (Lieutenants Bargaining Unit) and the City of Titusville and approve retroactivity on wages to the first pay period beginning FY 17-18.

G. Collective Bargaining Agreement between the Laborer's International Union of North America Local 630 and the City of Titusville

Approve the Collective Bargaining Agreement between the Laborers' International Union of North America Local 630 and the City of Titusville and approve retroactivity of wages to the first pay period of FY 2017 - 2018.

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

A. Ordinance No. 30-2017 - Related to Food Service Establishments in Industrial Zoning Districts

Table the second reading and final public hearing of the proposed Ordinance No. 30-2017 amending the Code of Ordinances related to caterers and restaurants by amending the limited uses in the Light Industrial Services and Warehousing (M-1), Industrial (M-2) and Planned Industrial Development (PID) zoning districts; by amending Section 28-167 "Restaurants"; and amending Section 37-1 "Definitions" to add caterer and take-out restaurant; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code. **(Staff is requesting this item be tabled to the regular City Council meeting on October 24, 2017.)**

The Planning and Zoning Commission will consider this item on October 18, 2017.

B. Ordinance No. 31-2017 - Glitch Ordinance 2.0

Table the second reading and final public hearing of the proposed Ordinance No. 31-2017 amending the Code of Ordinances and Land Development Regulations, setting forth authority, and purpose and intent; amending Chapter 6 "Buildings and Building Regulation", specifically amending Section 6.61 relating to site/plot plans to accompany permit applications; amending Chapter 27 "General Provisions", specifically amending Sections 27-13 through 27-16 relating to general provisions; amending Chapter 28 "Zoning", specifically amending Section 28-21 relating to Indian River City Neighborhood Zoning; deleting Section 28-36 related to sale of land or buildings, amending Sections 28-54 relating to allowable use table, 28-75 relating to multifamily dwellings, 28-101 (c) relating to bed and breakfast inns, 28-112 relating to convenience stores (without gasoline sales), 28-128 relating to graphic printing and copying services, 28-151 relating to

outdoor storage, 28-167(c) relating to restaurants, 28-236 (a) relating to churches, 28-271(c)(4) relating to community gardens, 28-342 relating to the accessory use table, 28-353 (a) relating to attached screen porches, 28-357 (c) relating to detached accessory structures, 28-361 relating to outdoor areas of seating, deleting Section 28-362, relating to outdoor areas of seating with entertainment, amending Sections 28-363(b) relating to outdoor display of merchandise; and 28-364 (c) relating to outdoor storage as an accessory use; amending Chapter 30 "Development Standards", specifically amending Section 30-335(a) relating to landscape yards; amending Chapter 32 "Signs", specifically amending Sections 32-41 relating to handbills, permits and posting, and deleting 32-46 relating to commercial accessory structures and uses; amending Chapter 33 "Development Options", specifically amending Section 33-45 (b) relating to amending master development plan in the regional mixed use zoning district, and 33-56 relating to design review criteria in the urban village; amending Chapter 34 "Procedures", specifically deleting Section 34-89 "Final Plat Required", amending Sections 34-145 "Recording" and Section 34-201 "Recording of Final Plat" regarding plat recordation; providing for severability; repeal of conflicting ordinances; incorporation into the code; and an effective date. **(Staff is requesting this item be tabled to the regular City Council meeting on October 24, 2017.)**

The Planning and Zoning Commission will consider this item on October 18, 2017.

C. Development Agreement No. 1-2015 and Master Plan for Antigua Bay

Approve Development Agreement No. 1-2015 and Master Plan for Antigua Bay. (This item was tabled at the regular City Council meeting on September 26, 2017.)

The Planning and Zoning Commission recommended approval, 5-0 as presented by the staff and applicant and that no additional development other than a possible fire station in the RMU-100 sub-district, specifically Parcels 11A or 11B.

D. Ordinance No. 35-2017 - Signs in Urban Village (UV) Zoning

Conduct the second reading and public hearing of the proposed Ordinance No. 35-2017 amending the Code of Ordinances and Land Development Regulations relating to signs in Urban Village (UV) and associated developments; amending Chapter 32 "Signs", specifically amending Section 32-2 "Definitions", creating Section 32-46 "Urban Village (UV) zoning", and renumbering "Commercial Accessory Structures and Uses" to Section 32-47; providing for severability; repeal of conflicting ordinances; incorporation into the code; and an effective date.

The Planning and Zoning Commission recommended

approval, 5-0 with the changes Council requested at their September 26, 2017 meeting including a 600 square foot maximum wall sign, projecting signs shall maintain a clear minimum height consistent with the Florida Building Code, and internal directional signs shall not exceed 10 feet.

E. Ordinance No. 36-2017 - Shoreline Protection Ordinance

Conduct the second reading and public hearing of the proposed Ordinance No. 36-2017 amending the Land Development Regulations by amending Chapter 29 “Special Districts and Overlays”, Article II “Titusville Shoreline Area Overlay District (TSA)”, specifically amending Section 29-25 “Minimum Building Setback from the Mean High Water Line of the Indian River Lagoon”; by amending and renaming Chapter 30 “Development Standards”, Article II “Environmental”, Division 4 “Riparian Buffer”, to be named “Shoreline Protection”; and specifically amending Section 30-61 Intent”, Section 30-62 “Applicability”, Section 30-63 “Buffers/Setbacks”; adding Section 30-64 establishing standards and minimum criteria relating to alterations in the shoreline protection setbacks and surface water protection permits; adding Section 30-65 establishing setbacks for onsite sewage treatment and disposal system; adding section 30-21 establishing non-conforming impervious area standards to allow existing structures and impervious areas in the shoreline protection setback; adding Section 30-67 establishing Class II and Class III waters and surface water protection plan to regulate lot depth of principal structures within the shoreline protection setback, to require mangrove alteration in compliance with federal and state regulations, requiring a surface water protection plan, prohibiting dredging and filling connected to certain waters, prohibiting discharges that degrade existing water quality; adding Section 30-68 establishing exemption standards; adding Section 30-69 by adding vested rights criteria for computing the density of submerged lands; amending Division 5 “Bulkhead/dredge and Fill Permits”, specifically amending Section 30-71 “Minimum Building Setback from the mean high water level of the Indian River”; providing for severability; repeal of conflicting ordinances; incorporation into the code; and an effective date.

The Planning and Zoning Commission recommended approval, 4-0 with the recommendations that enactment of the 50% rule for the restoration of nonconforming bulkheads be delayed from the effective date of the ordinance. P&Z recommended the Council consider a minimum 60 to a maximum 180 days. The P&Z believes the delayed effective date of the 50% rule will allow those property owners affected by Hurricane Irma some time to restore their bulkheads.

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.

F. Small Scale Amendment (SSA) No. 2-2017

Table the Public Hearing and Final Reading of Ordinances for SSA No. 2-2017 Future Land Use Map amendment Ordinance and rezoning Ordinance:

Ordinance No. 33-2017 amending the Code of Ordinances by amending Ordinance No. 60-1988, which adopted the Comprehensive Plan of the City of Titusville, by changing the land use designation on a parcel located on the south side of Fox Lake Road approximately half a mile west of the Interstate 95 right of way with an address of 3815 Fox Lake Road from the Conservation future land use designation to the Residential One designation.

and

Ordinance No. 34-2017 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 replacing the present Open Space and Recreation (OR) zoning to General Use (GU) zoning to a parcel located on the south side of Fox Lake Road approximately half a mile west of the Interstate 95 right of way with an address of 3815 Fox Lake Road. **(Staff is requesting this item be tabled to the regular City Council meeting on October 24, 2017.)**

The Planning and Zoning, acting as the Local Planning Agency, tabled to their regular meeting on October 18, 2017.

10. ORDINANCES-FIRST READING

11. OLD BUSINESS

12. NEW BUSINESS

A. Advisability to Permit Banquet Centers as a Conditional Use in the General Use (GU) Zoning District

Provide direction to staff regarding amending the Land Development Regulations to include banquet centers as a Conditional Use Permit (CUP) in the General Use (GU) zoning district, as requested by the Planning and Zoning Commission.

B. Advisability Regarding Community Beautification Program

Provide staff with direction regarding program design of the Community Beautification Program.

- C. **Advisability Regarding Youth Engagement Program****
Provide direction to staff regarding youth engagement activities.
- D. **Advisability to Permit Streaming of Council Meetings on Facebook Live****
Provide direction to staff regarding broadcast of City Council meetings on Facebook.

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**