



## **CITY OF TITUSVILLE COUNCIL AGENDA**

**October 24, 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**

Reverend AJ Davis of St. James AME Church will be present to give the invocation.

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF MINUTES**

**A. Minutes**

Approve the minutes for the special City Council meeting on August 16, 2017.

**5. SPECIAL RECOGNITIONS & PRESENTATIONS**

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

There may not be adequate time at the regular City Council meeting scheduled on October 24, 2017 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 October 24, 2017 that commences at 6:30 p.m.

**6. BOARDS AND COMMISSIONS**

**A. Municipal Code Enforcement Board**

Appoint three regular members to the Municipal Code Enforcement Board for three year terms to expire on October 31, 2020.

**B. Historic Preservation Board**

Appoint four regular members and one alternate member to the Historic Preservation Board for terms to expire on October 31, 2019.

**C. Planning and Zoning Commission**

Appoint one alternate member to the Planning and Zoning Commission to an unexpired term that will expire on January 31, 2019.

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

**8. CONSENT AGENDA**

**A. Acceptance of Award - FY18 Victim of Crime Act (VOCA) Grant**

Accept award in the amount of \$49,182.51 to fund the FY18 Victim/Family Advocate position and approve the budget amendment upon receipt of funds.

**B. Hopkins Avenue Inspection Services - Consultant Selection**

Approve the final ranking of consultants for the Hopkins Avenue Inspection Services and authorize staff to conduct contract negotiation with the top ranked firm, DRMP of Orlando, FL the number one ranked firm, and if the City is unable to negotiate a satisfactory contract with DRMP, terminate negotiations with said firm and undertake negotiations with the second ranked firm.

**C. 2018 Medicare Medical and Pharmacy Plan Options for City Retirees**

Approve the 2018 Cigna Medicare Supplement and Medicare Part D Prescription Drug Plan renewal for City retirees eligible for Medicare with no rate increase to the current 2017 rates; and approve the 2018 Aetna Medicare Advantage Plan renewal at the rates illustrated below. A maximum 19% rate increase will apply if the Health Insurance Fee (HIF) as prescribed under the *Affordable Care Act* is reinstated for 2018. If the fee is not reinstated for 2018 there will be a 6% rate increase.

**D. Advisability Regarding Amending the Code of Ordinances Chapter 18 - Swimming Pools**

Approve advisability to delete the Code of Ordinances Chapter 18 - Swimming Pools because the code is outdated and duplicative.

**E. Advisability to Amend the Downtown Mixed Use (DMU) Zoning District and Future Land Use Element to Permit Greater Density in the Downtown DMU Sub-District**

Approve advisability to amend the Land Development

Regulations and Future Land Use Element to permit greater residential density in the DMU Downtown sub-district.

**F. Appropriate Forfeiture Funds**

Appropriate and approve the use of \$10,000 in Forfeiture Funds for repairs and maintenance of forfeiture vehicles; appropriate and approve the use of \$4,000 in Forfeiture Funds to purchase crime prevention materials to promote various services the police department supports; and approve attached budget amendment.

**G. Youth Engagement Program Funding Criteria FY 2018/2019**

Approve the criteria for youth engagement programs for Fiscal Year 2018/2019 in conjunction with the CDBG grant Request for Proposal process.

**H. Award Contract - Marina Dock Repairs**

Approve attached budget amendment and the award of contract to Underwater Engineering Services of Fort Pierce, Florida in the amount of \$100,664 for replacement of damaged piles and deck repairs associated with Hurricane Matthew, and authorize the City Manager to execute the contract.

**I. Award of Contract for Riverside Drive Force Main Stabilization Project**

Approve award of a contract for Bid No. 18-B-003 to SDV Services LLC of Titusville, FL for the Riverside Drive Force Main Stabilization Project in the amount of \$113,566, authorize the City Manager to execute the contract and approve the associated budget amendment.

**J. Award of Contract to Dispose Biosolids**

Approve award to T. Wayne Hill Trucking, Inc. to haul and dispose of liquid biosolids with an elevated copper content in the amount of \$80,000. Authorize the City Manager to issue the necessary purchase order for this service.

**K. Continuing Consultant Ranking For RFQ #17-Q-30 Code 101 Water Resources**

Approve the Selection Committee final ranking of Engineering Consultants For Continuing Contracts RFQ #17-Q-30 Code 101 Water Resources Services, and authorize staff to conduct contract negotiations to establish four Continuing Consultant Contracts with the four top selected firms.

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

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

Conduct 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. **(This item was tabled at the regular City Council meeting on October 10, 2017.)**

**The Planning and Zoning Commission recommended approval, 4-0 with the request that Council consider directing staff to prepare a new ordinance making catering in the PID zoning a conditional use.**

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

Conduct 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. **(This item was tabled at the regular City Council meeting on October 10, 2017.)**

**The Planning and Zoning Commission recommended approval, 4-0.**

**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 October 10, 2017.)**

**On October 4, 2017, the Planning and Zoning Commission recommended approval (5-0) as presented by the staff and applicant, and with no additional development other than a possible fire station in the RMU-100 sub-district, specifically Parcels 11A or 11B.**

**D. Ordinance No. 37-2017 - Creating a Trail Town - Urban Mixed Use (UMU) Zoning Changes**

Conduct First Reading and First Public Hearing for Ordinance No. 37-2017 amending the Land Development Regulations relating to the Urban Mixed Use (UMU) zoning district, by amending Chapter 28 "Zoning", specifically amending Section 28-54 "Use Table", Section 28-73 "Live-work Unit", Section 28-91 "Advertising Agency", Section 28-95 "Arts, Crafts and Hobby Shop", Section 28-96 "Art Studio", Section 28-99 "Bakery, Retail", Section 28-100 "Barber/beauty Shop/salon", Section 28-101 "Bed and Breakfast Inns", creating Section 28-101.1 "Bicycle Sales/service", amending Section 28.109 "Ceramic Shop", Section 28-111 "Clothing and Shoe Stores", Section 28-112 "Convenience Store (without retail gasoline sales)", Section 28-115 "Delicatessens" Section 28-117 "Drinking Establishments (Bar,Tavern,Lounge)"; Section 28- 123 "Fitness Center", Section 28-124 "Florist", Section 28-127 "Gift Shops", Section 28-133 "Ice Cream Parlor", Section 28-135 "Insurance Office", Section 28-136 "Jewelers", Section 28-139 "Legal Office", Section 28-160 "Photographic Shops", Section 28-162 "Printing and Copying Stores", Section 28-164 "Professional Offices", Section 28-167 "Restaurants", Section 28-170 "Screen Printing Shops", Section 28-172 "Spa", Section 28-174 "Tailor Services", Section 28-177 "Travel Agencies", Section 28-182 "Videogame Arcades", Section 28-243 "Government Facilities", Section 28- 325 "Urban Mixed Use (UMU)"; to amend allowable uses and conditions of uses within the Urban Mixed Use (UMU) zoning district; amending Chapter 30 "Development Standards", specifically creating Section 30-283 "On- Street Parking Credit"; providing for severability, repeal of conflicting ordinances, 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 November 14, 2017.)**

The Planning and Zoning Commission will consider this ordinance on November 8, 2017.

**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.**

**E. Small Scale Amendment (SSA) No. 2-2017**

Conduct the second reading and public hearing 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. **(This item was tabled at the regular City Council meeting on October 10, 2017.)**

**The Planning and Zoning, acting as the Local Planning Agency, recommended approval, 4-0.**

**10. ORDINANCES-FIRST READING**

**A. Ordinance No. 38-2017 Relating to High Security Fences**

Conduct the first reading of the proposed Ordinance No. 38-2017 amending the Code of Ordinances relating to fences; by amending Chapter 6 "Buildings and Building Regulations", specifically amending Section 6-56 "Required; Inspection, approval prior to use or Occupancy" relating to permits for fences; amending Chapter 30 "Development Standards" related to fences in non-residential development, specifically amending Section 30-182 "Height and Location Requirements", and Section 30-183 "Interior High Security Fences"; providing for

severability, repeal of conflicting ordinances, an effective date and incorporation into the code.

**B. Ordinance No. 39-2017 Regarding Water Meter Charges**

Conduct the first reading of Ordinance No 39-2017 amending the Code of Ordinances by amending Chapter 21 "Utilities", Article IV "Water and Sewer Rates and Charges and Billing Procedure", specifically amending Section 21-243(c) "Water Meter Charges"; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code.

**C. Rezoning (REZ) No. 3-2017**

Conduct first reading of Ordinance No. 40-2017 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 Residential Estate (RE) zoning to Planned Development (PD) zoning to a portion of a 70 acre parcel located on the north side of Fox Lake Road, east side of Carpenter Road and the west side of Interstate 95; and providing for an effective date.

**11. OLD BUSINESS**

**12. NEW BUSINESS**

**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. Water Utility Service**

Attached is an informational memorandum regarding the process regarding water utility service when the property owner has passed away.