



**CITY OF TITUSVILLE  
COUNCIL AGENDA**

**November 14, 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**

Dr. Vernor Clay of Antioch Christian Fellowship 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 August 22, 2017 (5:30 p.m.), August 22, 2017 (6:30 p.m.), and October 10, 2017 and special City Council meetings on September 6, 2017, October 23, 2017, and November 6, 2017.

**5. SPECIAL RECOGNITIONS & PRESENTATIONS**

**6. BOARDS AND COMMISSIONS**

**A. Board of Trustees of the General Employees' Pension Plan**

Accept the resignation of newly appointed member Kerry Kennedy and appoint one member to the Board of Trustees of the General Employees' Pension Plan for an unexpired three-year term to expire on September 30, 2020.

**B. North Brevard Library District Board**

Accept the North Brevard Library District Board Semi-Annual Report as written.

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

**8. CONSENT AGENDA**

**A. Change Order #1 to Annual Utility Locating Services Contract**

Approve Change Order #1 in the amount of \$15,670 to the annual contract with USIC Locating Services, LLC of Indianapolis, Indiana for utility locating services and authorize the City Manager to execute the change order.

**B. Advisability to Permit Use of Conservation Subdivisions in Area of Critical Concern**

Approve advisability to amend Chapter 30 of the *Land Development Regulations* to permit development of conservation subdivisions within the Area of Critical Concern.

**C. Request for 800Mhz Radio Equipment**

Approve the request to purchase 800Mhz radio equipment and authorize the sole source vendor, Communications International to perform programming and installation of equipment contained in their formal quote for a total cost not to exceed \$136,213, and authorize the City Manager to issue and execute any instruments necessary for this purchase.

**D. Purchase of Maintenance Agreement for New Water Resources Vector Truck**

Approve the purchase of a five-year turn key maintenance agreement from Environmental Products of Florida, Inc. of Tampa, FL in the amount of \$13,200 annually for a total five year expenditure of \$66,000 and authorize the Mayor to execute the contract.

**E. Easement Agreement - Canaveral Port Authority**

Approve and execute the attached utility easement agreement with the Canaveral Port Authority (CPA).

**F. Renewal of the Employee Assistance Program (EAP) benefit for City employees and their dependents and a rate guarantee for 48 months**

Award the Employee Assistance Program Services to Aetna Behavioral Health, LLC, 151 Farmington Avenue, Hartford, CT 06156 effective the 1st day of December, 2017, which shall remain in full force and effect for the period of one (1) year ("Initial term") with three (3) optional one (1) year administrative renewals, until terminated in accordance with the terms of the Agreement and a rate guarantee for 48 months.

**G. Traffic Signal Repair at SR 405 and Park Ave**

Approve Piggyback of Brevard County Contract B-4-15-55 Traffic Signal Construction, Rehab, Maintenance, and

Emergency Repairs to Traffic Control Devices, Inc. (TCD) of Altamonte Springs, FL in the amount of \$112,513.70 to replace the Traffic Signal at SR 405 (South Street) and Park Ave.

**H. Fire Department Radio Purchase Project Budget Transfer Request**

Approve request to transfer remaining funds of \$28,787 from project #Z01806 into a new project #Z01846 and to authorize the City Manager to issue and execute any instruments necessary for the purchase of a bunker gear washer and dryer for the Fire Department in accordance with established purchasing policies.

**I. Amendment to Lease Agreement between the City and T-Mobile South, LLC**

Approve the third amendment to the lease agreement with T-Mobile South, LLC for use of the South Street Water Tower, subject to the resolution of the agreement terms by the City Manager and the City Attorney; and authorize the Mayor to execute the amendment.

**J. Purchase of Police Vehicles FY18**

Approve the use of the National Joint Powers Alliance Contract #2018-120716-NAF for purchase of five (5) 2018 Ford Interceptor vehicles from Alan Jay Fleet Sales at \$50,673.33 each for a total amount of \$253,366.65; Two (2) 2018 Ford Interceptor Traffic vehicles at \$53,184.33 each from Alan Jay Fleet Sales for a total amount of \$106,368.66; Approve the use of Florida Sheriffs Association Bid FSA16-VEH24.0 for the purchase of one (1) 2017/2018 Chevrolet Traverse vehicle from Stingray Chevrolet in the amount of \$29,913.00; Approve the use of Florida Sheriffs Association Bid FSA17-VEL25.0/FSA17-Vel15.0 for the purchase of one (1) 2018 Ford Swat Transport Van from Duval Ford in the amount of \$52,607.00.

**K. Easement Agreement - Florida Power & Light**

Approve and execute the attached utility easement agreement with the Florida Power & Light Company (FPL).

**L. Advisability to Amend the Code of Ordinances for Sewer Billing of Cooling Tower Discharges**

Approve advisability to Amend the Code of Ordinances Chapter 21 "Utilities" Charging Sewer Rates for Discharges to City Sewers from Water-Cooled Air Conditioning Served by Irrigation Water.

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

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

Conduct Second Reading and Second 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 second reading and final public hearing.)**

**The Planning and Zoning Commission recommended approval, 5-0.**

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

Conduct the second reading and public hearing 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.

**The Planning and Zoning Commission recommended approval, 5-0.**

**C. Ordinance No. 39-2017 Correcting Water Meter Charges for Temporary Water Service Deposits**

Conduct the second reading and public hearing 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 - *Temporary Service*"; providing for severability, repeal of conflicting ordinances, an effective date, and incorporation into the code.

**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 Application No. 3-2017**

Conduct Public Hearing of REZ No. 3-2017 and 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.

**The Planning and Zoning Commission recommended denial, 3-1 due to the lot size and incompatible with surrounding zoning.**

**10. ORDINANCES-FIRST READING**

**A. Ordinance No. 41-2017 - Capital Improvement Element Annual Update**

Conduct First Reading of Ordinance No. 41-2017 updating the Five Year Capital Improvements Schedule of the Comprehensive Plan of the City of Titusville for the 2018 – 2022 horizon relating to the Capital Improvement Element, and providing for an effective date.

**B. Small Scale Comprehensive Plan Amendment (SSA) No. 3-2017 and Planned Development Rezoning with Master Plan (REZ) No. 4-2017**

Conduct First Reading of Small Scale Application No. 3-2017 and related Ordinance No. 42-2017 to amend the Future Land Use designation from Conservation to High Density Residential on approximately 9.25 acres of a larger 44.5 acre property.

and

Rezoning Application No. 4-2017 and related Ordinance No. 43-2017 to amend the zoning classification from Multifamily High Density Residential (R-3), Multifamily Medium Density Residential (R-2) and Open Space and Recreation (OR) to

Planned Development (PD) with a Master Plan.

**11. OLD BUSINESS**

**A. FY 2019 Youth Engagement Programs**

Authorize amendment to FY 2019 CDBG Request for Proposal (RFP) to include criteria for additional Youth Engagement Programs.

**B. Regulation of Medical Marijuana Dispensaries**

Provide direction to staff regarding the regulation of medical marijuana dispensaries.

**12. NEW BUSINESS**

**A. Certified Production Technician and Patient Care Assistant CNA Scholarship Fund - Eastern Florida State College Foundation Memorandum of Understanding**

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

**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**