



CITY OF TITUSVILLE COUNCIL AGENDA

**December 12, 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. Lila Jane Tibbitts of Bridge Ministries 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 September 26, 2017 (5:30 p.m.), September 26, 2017 (6:30 p.m.), and October 24, 2017 (5:30 p.m.).

5. SPECIAL RECOGNITIONS & PRESENTATIONS

A. Project Based Learning, Inc. a/k/a Space Coast FabLab - Second Quarter Report

Accept the second quarter report from Project Based Learning, Inc. a/k/a Space Coast FabLab.

B. Titusville/Farnton (TIFA) LLC FY 2018 Budget and FY 2019 – FY 2020 Pro Forma Projections

Adopt the TIFA LLC FY 2018 Budget.

6. BOARDS AND COMMISSIONS

A. Titusville Environmental Commission

Accept the Titusville Environmental Commission's Semi-Annual Report, as presented.

B. North Brevard County Hospital District Board

Appoint one (1) member to the North Brevard County Hospital District Board for a four-year term to expire on December 31, 2021; Confirm appointment of one (1) member for a four-year term to expire on December 31, 2021, which was appointed by the Brevard County Board of County Commissions on December 5, 2017.

C. North Brevard Economic Development Zone Dependent Special District Board

Appoint one (1) regular member to the North Brevard Economic Development Zone Dependent Special District Board for a four-year term to expire on December 31, 2021.

D. Planning and Zoning Commission Resignation and Board of Adjustments and Appeals Appointment

Accept the resignation of William Killpartrick that was appointed as a regular member to the Planning and Zoning Commission on November 28, 2017. Resignation was effective on November 30, 2017. Subsequently, appoint Mr. Killpartrick as an alternate member from the public at large to the Board of Adjustments and Appeals for an unexpired term that will expire on July 31, 2019.

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

8. CONSENT AGENDA

A. Advisability - Utilization of Shipping Containers as Residences

Approve advisability for staff to develop an ordinance regulating shipping containers for use as residences.

B. Marina Pumpout Infrastructure Grant Funding

Approve Budget Amendment and the receipt of a Federal/FDEP grant in the amount of \$13,046 to fund the replacement of stationary pump out infrastructure at the Titusville Municipal Marina.

C. Resolution No. 20-2017 Updating the Water Resources Technical Specifications

Approve Resolution No. 20-2017 authorizing the Mayor to approve and execute the updated Water Resources Technical Specifications and providing for an effective date of January 1, 2018.

D. Bus Stop, Maintenance and Pedestrian Ingress and Egress Easement

Approve the Bus Stop, Maintenance and Pedestrian Ingress

and Egress Easement to Brevard County.

E. Approve Easment - Florida Power and Light

Approve and execute the attached utility easement agreement with the Florida Power & Light Company (FPL) at the City Garage at 101 North Singleton Avenue.

F. Purchase of Solid Waste Sideloader

Approve purchase of a 2018 solid waste automated sideloader in the amount of \$280,544.50 from Nextran Truck Center of Orlando to replace an existing truck as approved in the FY18 budget. Additionally, approve associated budget amendment.

G. Award of Contract - CRA Landscape and State Roadways ROW Maintenance

Approve the award of contract, with an initial term of one year and four optional one year renewals to JBs Lawn Control Inc. of Titusville, FL to perform mowing and landscape maintenance services within the CRA and State Roadways the amount of \$85,400.24 per year and authorize the City Manager to execute the contract.

H. Brevard County Solid Waste - Hurricane Debris Add#1

Approve budget amendment in the amount of \$85,000 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.

I. Approve Budget Amendment and Change Order 1 - Civic Center Concept

Approve Budget Amendment and the award of Change Order #1 to Work Order BHPW012 in the amount of \$6,252.65 to Bellomo Herbert, a GAI Company to prepare a feasibility study for the development of a civic center conceptual design at Sand Point Park expanding the study area to the existing City owned upland building, and authorize the City Manager to execute the work order.

J. Highway Maintenance Agreement

Approve the Highway Maintenance Agreement with the Florida Department of Transportation (FDOT).

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

A. Ordinance No. 44-2017 - Relating to Shipping Containers Utilized as Accessory Structures

Conduct the second reading and final public hearing of Ordinance No. 44-2017 amending the code of ordinances relating to shipping containers; by amending chapter 28 “zoning”, specifically amending section 28-357 “detached accessory building/structure”, and section 28-365 “parking or storage of motor vehicles, recreational vehicles, boats, airboats,

or trailers in residential districts” to prohibit shipping containers as with residentially zoned or used properties; specifically amending section 28-373 “temporary storage units” relating to shipping containers and renumbering subsequent sections; amending chapter 34 “procedures”, specifically creating section 34-353 “nonconforming structures – shipping containers” and renumbering subsequent sections; amending chapter 37 “definitions” to add the definition of shipping container; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code. **(This is the second reading and final public hearing.)**

The Planning and Zoning Commission recommended approval, 3-1 with a six month period from the effective date of the ordinance in which the shipping containers with valid building permits or final inspections shall be removed, be screened to ensure the container is not visible from any property line, or be altered so that the container is architecturally compatible with the primary structure.

B. Ordinance No. 45-2017 - Dog Friendly Dining

Conduct the second reading and the second public hearing of Ordinance No 45-2017 amending the land development regulations relating to dog-friendly dining; specifically amending chapter 28 “zoning” article i “general provisions”, specifically creating section 28-19, “dog-friendly dining”; allowing patrons’ dogs at certain outdoor portions of public food service establishments; providing for severability; providing for repeal of conflicting ordinances; providing for incorporation into the code; and providing for an effective date. **(This is the second reading and final public hearing.)**

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

C. Ordinance No. 46-2017 Extending the Moratorium on Medical Marijuana Dispensaries

Conduct second reading and second public hearing of Ordinance No. 46-2017 extending the temporary moratorium on the establishment or operation of any Medical Marijuana Treatment Centers, Medical Marijuana Dispensaries or Medical Marijuana Facilities within the City of Titusville imposed by Ordinance No. 16-2017.

The Planning and Zoning Commission recommended approval of the moratorium extension, 3-1.

D. Ordinance No. 47-2017 Amending the Code of Ordinances Chapter 18 - Swimming Pools

Conduct the second reading and public hearing of Ordinance No. 47-2017 amending the Code of Ordinances by amending Chapter 6 “Buildings and Building Regulations” specifically amending Sections 6-56 “Required, Inspection, Approval prior

to Use or Occupancy”, 6-58 “Qualification for Obtaining Permits”, and 6-68 “Inspections and Building Site” relating to swimming pools; deleting Chapter 18 “Swimming Pools” in its entirety as duplicative to requirements of the Florida Building Code and Land Development Regulations; providing for severability; providing for repeal of conflicting ordinances; providing for incorporation into the code; and providing for an effective date.

E. Ordinance No. 49-2017 Relating to Conservation Subdivisions in the Areas of Critical Concern

Conduct second reading and public hearing of Ordinance No. 49-2017 amending the code of ordinances related to utilizing conservation subdivisions in the area of critical concern; by amending chapter 30 “development standards”, section 30-207 “area of critical concern performance” to permit the development of conservation subdivisions; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code.

The Planning and Commission recommended approval, 4-0.

F. Comprehensive Plan Amendment (CPA) No. 2017-02 and Zoning Code Text Amendment

Conduct the transmittal hearing on CPA Text Amendment to the State Land Planning Agency. **(The Community Redevelopment Agency (CRA) unanimously recommended approval of the item at their November 14, 2017 meeting.)**

The Planning and Zoning Commission recommended approval of the transmittal, 4-0.

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.

G. Easement Vacation (EAS) No. 2-2017

Conduct Public Hearing for Easement Vacation (EAS) No. 2-2017 and Resolution No. 21-2017 to vacate a portion of a Public Utility Easement at 43 Lynwood Avenue.

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

H. Easement Vacation (EAS) No. 3-2017

Consider Easement Vacation (EAS) No. 3-2017 and Resolution No. 22-2017 and Resolution No. 23-2017 to vacate two public

utility easements on property located at the northeast corner of State Road 50 and State Road 405.

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

I. Easement Vacation (EAS) No. 4-2017

Consider Easement Vacation (EAS) No. 4-2017 and Resolution No. 24-2017 to vacate a portion of one public utility easement and a portion of one drainage easement on property located at 1630 N. Eden Circle Titusville, FL 32796.

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

10. ORDINANCES-FIRST READING

A. Ordinance No. 1-2018 Historic Property Ad Valorem Tax Exemption Ordinance

Conduct first reading of Ordinance No. 1-2018 amending the Code of Ordinances to establish Historic Property Ad Valorem Tax Exemption; by creating Chapter 19 "Taxation", Article VII "Historic Property Ad Valorem Tax Exemption", Sections 19-200 through 19- 212 setting forth the provisions related to the tax exemption program; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code. **(The second reading and public hearing is scheduled for the regular City Council meeting on January 9, 2018.)**

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