

CITY OF TITUSVILLE

CITY COUNCIL

AGENDA

Council Chamber

December 14, 2004

6:30 p.m.

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.

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.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

Approve the minutes of the special meeting held November 23, 2004 at 10:30 a.m., the special meeting held November 23, 2004 at 11:00 a.m., and the regular meeting held November 23, 2004 at 6:30 p.m.

V. SPECIAL RECOGNITIONS

VI. PRESENTATIONS

Department Spotlight – Electrical Maintenance.

Economic Development Quarterly Update.

Semi-Annual Report from the Titusville Environmental Commission.

VII. CONSENT AGENDA

- A. Approve Advisability to proceed with vacation of that portion of 5th Street fronting lots 3 and 4, block 20, and lots 25 and 26, block 19, Sun Valley Subdivision.
- B. Approve Resolution 42-2004, authorizing the issuance of Water and Sewer Revenue Refunding Note, Series 2004 in an amount not to exceed \$7,148,000 to finance the current refunding of a portion of the outstanding Water and Sewer Revenue Bonds, Series 1994 and amend the Water and Sewer Utility Fund budgeted debt service principal and interest to reflect the net present savings from the refunding transaction for Fiscal Year 2004-2005 based on final closing amounts.

- C. Approve the budgeted capital purchase of one (1) 2005 recycling truck for the Recycling Division in the amount of \$142,804 to Container Systems and Equipment Co., Inc. of Daytona Beach, Florida. This approval authorizes a budget amendment in the amount of \$5,488.
- D. Approve the insurance replacement purchase of one (1) 2000 sideloader refuse truck for the Solid Waste Division in the amount of \$72,500 to Container Systems and Equipment Co., Inc. of Daytona Beach, Florida. This approval authorizes a budget amendment in the amount of \$4,500.
- E. Approve the retention of two (2) grapple trucks and related additional fees for another grapple truck in the amount of \$29,950 to Container Systems and Equipment, Co., Inc. of Daytona Beach, Florida. This approval authorizes a budget amendment in the amount of \$29,950.
- F. Approve \$200,000 for Outside Legal Services related to the administrative hearing for the Area IV Well Field Consumptive Use Permit.
- G. Approve \$150,000 for technical support services from Barnes, Ferland, and Associates, Inc. (BFA) related to the Area IV Well Field consumptive use permit application and administrative hearing and authorize the City Manager to sign the resulting task orders.
- H. Approve Resolution 43-2004, authorizing application for a municipal grant from the Department of Community Affairs Division of Emergency Management to provide funding assistance in attaining emergency generators for the Water Resources Department. The total request is estimated at \$100,000 (\$50,000 of which would be the City's match).
- I. Approve the award of a bid to Driveways, Inc. in the amount of \$45,032.50 for Sanitary Sewer System Improvements on Pollyanna Drive.
- J. Approve the acceptance of the Assistance to Firefighters Grant in the amount of \$85,024 and authorize the budget amendment to expend funds for the purchase of equipment to upgrade thirty-five Self Contained Breathing Apparatus (SCBA) and two additional breathing apparatus paks including cylinders with valve assemblies, seventeen voice amplifiers, mounting brackets, and installation from Fisher Safety in the amount of \$57,285.42 and authorize the expenditure of the remaining \$27,727.58 for additional items requested in the grant application.
- K. Approve the acceptance of the grant from the Department of Community Affairs grant in the amount of \$12,000 for the purchase of a thermal imaging camera and authorize the budget amendment in order to expend the grant funds.

VIII. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

IX. ORDINANCES – FIRST READING

- A. Ordinance 01-2005 changing the parking requirements of Shoreline Mixed Use (SMU), Urban Mixed Use (UMU), Central Business District (CBD), and Planned Unit Development (PUD) Overlay to be consistent with the parking requirements

in Chapter 39, Article III. The Planning and Zoning Commission recommended approval, 6-0.

- B. Ordinance 02-2005 amending the General Employees' Pension Plan by changing the composition of the Board, adding clarifying language, and adding language regarding reemployment.

X. ORDINANCES-SECOND READING, PUBLIC HEARINGS & RELATED ACTION

The following items are subject to quasi-judicial rules of procedure. Anyone wishing to speak on any of these items must first sign a Public Hearing Agenda 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.

- A. Ordinance No. 70-2004 rezoning property located on the north side of Knox McRae Drive west of Melrose Avenue from General Use (GU) and Open Space and Recreation (OR) to Single Family Medium Density (R-1b) and Open Space and Recreation (OR) zoning classifications as requested by Ron Yurgosky with permission of Michael Lueg Lee and Oakley Lueg, owners (Rezoning Application No. 11-2004). The Planning and Zoning Commission recommended denial, 4-3. This item was tabled at the October 26, 2004 and November 9, 2004 Council Meeting.
- B. Ordinance 77-2004 changing the land use designation from High Density Residential to Commercial – Low Intensity and Ordinance 78-2004 rezoning from Single-family, Medium Density (R-1B) to Neighborhood Commercial (NC) at 118 Alhambra Street (Small Scale Amendment Application 18-2004). The Planning and Zoning Commission recommended approval, 7-0.
- C. Ordinance 79-2004 changing the land use designation from Commercial – High Intensity to Medium Density Residential and Ordinance 80-2004 rezoning from Community Commercial (CC) to Multi-family, High Density (R-3) with a cap of 10 units per acre at 102, 106, 110, and 114 Brown Avenue and 1103, 1107, 1111, 1115, 1119, and 1123 English Street (Small Scale Amendment Application 19-2004). The Planning and Zoning Commission recommended approval 7-0.
- D. Ordinance 81-2004 changing the land use designation from High Density Residential to Commercial – Low Intensity and Ordinance 82-2004 rezoning from Multi-family, Medium Density (R-2) to Neighborhood Commercial (NC) at 4530 Hickory Hill Boulevard (Small Scale Amendment Application 20-2004). The Planning and Zoning Commission recommended approval, 7-0.
- E. Conditional Use Permit No. 14-2004, to allow expansion of existing church in a General Use (GU) zoning district for property located at 2929 Cheney Highway. The Planning and Zoning Commission recommended approval, 6-0.
- F. Authorize transmittal of the following amendments to the City's Comprehensive Plan:

AMENDMENTS	IDENTIFICATION
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CPA 2005-01A	Amendments to the Future Land Use Element:
CPA 2005-01A1	Goal 1, Objective 10, Policy 1, to create Residential One and Residential Two Land Use Designation and renaming low, medium and high density residential to Residential Five, Residential Ten and Residential Fifteen. (LPA recommended transmittal and Staff concurs)
CPA 2005-01A2	Goal 1, Objective 17, Policy 1, creating residential density of up to 1 unit per acre for Residential One Land Use Designation and creating residential density of up to 2 units per acre for Residential Two Land Use Designation. (LPA recommended transmittal and Staff concurs)
CPA 2005-01A3	Goal 1, Objective 17, Policy 2, creating an additional policy #2 to allow Transfer of Development Rights which will provide a density bonus to Downtown developments and developments on the west side of the U.S. 1 Corridor that participate in the program. (LPA recommended tabling. Staff recommends transmittal with the exception of the U.S. 1 Corridor)
CPA 2005-01A4	Goal 1, Objective 18, Policy 1, to allow schools to be located in the Residential, Commercial, Educational and Public/Semi-Public land use designations, and on properties zoned Public. (LPA recommended tabling. Staff recommends transmittal)
CPA 2005-01A5	Goal 1, Objective 6, Policy 2, to encourage redevelopment on the west side of U.S. Highway One. (LPA recommended tabling. Staff recommends withdrawing this item)
CPA 2005-01A6	Goal 1, Objective 10, Policy 1, to include additional locational criteria for Medium and High Density Residential land uses. (LPA recommended tabling. Staff recommends withdrawing this item)
CPA 2005-01A7	Goal 1, Objective 17, Policy 1, creating separate categories for Commercial – Low Intensity and Commercial – High Intensity and creating residential density of up to 25 units per acre for Commercial High Intensity Land Use Designation. (LPA recommended tabling. Staff recommends transmittal)
CPA 2005-01B	Amendments to the Future Land Use Map
CPA 2005-01B1	Amendment to Future Land Use Map by annexing approximately 175.2 acres for property located west of Carpenter Road and north of Fox Lake Road with Residential One Land Use Designation. (LPA recommended transmittal and Staff concurs)
CPA 2005-01B2	Amendment to Future Land Use Map by annexing approximately 43.05 acres for property located west of Carpenter Road and south of Fox Lake Road with Residential One Land Use Designation. (LPA recommended transmittal and Staff concurs)
CPA 2005-01B3	Amendment to Future Land Use Map by changing land use designation from Commercial High Intensity to High Density Residential for approximately 18.62 acres for property located on the south side of Columbia Boulevard (State Road 405) west of State Road 407. (LPA recommended this not be transmitted and Staff concurs)
CPA 2005-01B4	Amendment to Future Land Use Map by annexing approximately 272

	acres for property located on the south side of Fox Lake Road, south of Carpenter Road with Residential One Land Use Designation. (LPA recommended transmittal and Staff concurs)
CPA 2005-01B5	Amendment to Future Land Use Map by annexing approximately 100 acres for property located on the north side of Fox Lake Road, west of Carpenter Road with Residential One Land Use Designation. (LPA recommended transmittal and Staff concurs)
CPA 2005-01B6	Amendment to Future Land Use Map by changing land use designation from Commercial High Intensity to High Density Residential for approximately 12.43 acres for property located on the south side of Columbia Boulevard (State Road 405) west of Windover Way. (LPA recommended tabling. Staff recommends withdrawing this item)

XI. OLD BUSINESS

- A. Report on Downtown Police Precinct.

XII. NEW BUSINESS

- A. Riverfront Property Acquisition Action Plan
- Approval of Resolution 44-2004, authorizing a bond issue in the amount of \$10,335,000 to finance the Plan.
- B. Land Development Regulations: Minor Divisions.
- C. Approve Preliminary Plat Review of Pinebrook Subdivision – located west of Sisson Road and north of Wendy Lee Drive; zoned Multi-family medium density residential (R-2) and Multi-family high density residential (R-3); proposed development consists of seventy-eight patio homes on 18.038 acres. This approval authorizes lots of less than 10,000 square feet. The Planning and Zoning Commission recommended approval, 6-0.
- D. Approve Preliminary Plat Review of Summerwood Villas Subdivision – located east of Sisson Road and south of Sterling Forest Subdivision; zoned Multi-family high density residential (R-3); proposed development consists of seventy-nine patio homes on 18.82 acres. This approval authorizes lots of less than 10,000 square feet. The Planning and Zoning Commission recommended approval, 7-0.

XIII. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

XIV. BOARDS AND COMMISSIONS

- A. Appoint two regular members and one alternate member to the Titusville Environmental Commission for three-year terms - expiring November 30, 2007.
- B. Appoint one regular member to the North Brevard Hospital District Board for a four-year term expiring December 31, 2008.

XV. MAYOR AND COUNCIL REPORTS

XVI. CITY MANAGER'S REPORT

XVII. CITY ATTORNEY'S REPORT