

City Council
Regular Meeting
March 26, 2002

The City Council of the City of Titusville, Florida met in regular session in the Council Chamber on the second floor of City Hall, 555 South Washington Avenue, on Tuesday, March 26, 2002.

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Present were Mayor Ron Swank, Vice-Mayor Jeff Rainey, and Council Members Conrad Eigenmann, and Ken Ward. Also in attendance were City Manager Tom Harmer, City Attorney Dwight Severs, and Administrative Secretary Fanita Mitchell. Council Member Chris Broome was absent.

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Mayor Swank called the meeting to order at 6:30 p.m. Mr. Darko Kreiner, Director of Ministries Park Avenue gave the invocation. The entire assembly stood to recite the Pledge of Allegiance to the Flag.

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Mayor Swank began the meeting by viewing a video, which highlighted scenes within the City of Titusville.

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The first item discussed was the approval of the minutes from regular meeting March 12, 2002. Vice-Mayor Rainey moved to approve the minutes as submitted. Member Eigenmann seconded the motion. The motion carried unanimously.

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Presentations Chairman George Fayson of the Planning and Zoning Commission presented the Board's semi-annual report. He indicated the Commission had reviewed 40 individual cases since the last report. Mr. Fayson asked that council consider filling the open position for an alternate member. Member Ward commented on the vacancy and encouraged citizens to apply for the vacant position. Mayor Swank echoed comments made by Member Ward and asked that interested persons contact the City Clerk's Office for additional information. Vice-Mayor Rainey moved to accept the semi-annual report. Member Ward seconded the motion. It carried unanimously.

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Economic Development Update-Mr. Walt Johnson, Economic Development Director, provided a brief update on Amtrak, and reported that he met with consultants representing Miracle City Mall. He mentioned the owners were continuing their effort to address the shopping concerns identified by the residents of Titusville. Mr. Johnson introduced Mr. Dan Abramson, Head Marketing Director, and Mr. Bryan Norman, Manager, from Roadhouse Grill. Mr. Abramson discussed the hours of operation and several programs developed by the restaurant chain, which benefits communities where the restaurants were established. He also distributed handouts and certificates

highlighting the programs. Mr. Abramson extended an invitation to council and city employees to attend a V.I.P Party, on April 15th from 4:00 until 6:00 p.m. All proceeds would benefit TEAM Titusville.

Next, Mr. Johnson introduced Ms. Renee Ponik, representing Cape Canaveral Spaceport. She presented a comprehensive review of the long-range master plan for the Spaceport. Member Eigenmann asked to receive a copy of her presentation. City Manager Harmer indicated that he would provide a copy to council.

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Consent Agenda Member Eigenmann presented the following items for approval as recommended:

- A. Resolution No. 16-2002 authorizing execution of agreement with Florida Department of Transportation for utility relocation work related to Titusville High School traffic signal project. Recommendation: Approve resolution authorizing the execution of a Utility Work Agreement with FDOT.
- B. Authorize sale of city-owned property in the vicinity of Briarwood Mobile Home Park to the adjacent property owner for \$3,000. Recommendation: Designate a portion of the City-owned property located in Section 34, Township 21 South, Range 35 East as surplus and authorize the sale of the property to Mr. Ronald McCurdy. Approve with the condition that a drainage easement be granted over the entire parcel for the continued operation and maintenance of the adjacent drainage canal.
- C. Approve lease of office space at the Harry T. Moore Social Services Center to Coalition for the Hungry and Homeless at an annual rate of \$1,308.06. Recommendation: Approve execution of a lease of property and telephone services with Coalition for the Hungry and Homeless for \$1,308.06 annually.

Member Eigenmann moved to approve consent items A, B, and C as presented. Member Ward seconded the motion. The roll call was:

Mayor Swank	yes
Member Ward	yes
Vice-Mayor Rainey	yes
Member Eigenmann	yes

The motion carried.

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Petitions and Request from the Public Present Ms. Nelly Strickland discussed the proposed location of the access road to Playalinda Beach; it was the same road she first suggested in the early 1970's. She also thanked council for extending her time to speak at the last meeting. Ms. Strickland shared her personal opinion on the Pledge of Allegiance and prayer. She also commented on the marina park project and suggested the city consider a separate account for water availability charges.

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The meeting recessed at 7:25 and reconvened at 7:35

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Ordinances-First Reading Attorney Severs read ORDINANCE NO. 16-2002, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA AMENDING SECTION 27-11 (DEFINITIONS) BY ADDING DEFINITIONS FOR ASSISTED LIVING FACILITY, AUTOMOTIVE REPAIR, MAJOR AND AUTOMOTIVE REPAIR, MINOR, BY DELETING THE DEFINITION FOR AUTOMOTIVE SALES AND SERVICES, BY ADDING DEFINITIONS FOR AUTOMOTIVE SALES, AUTOMOTIVE STORAGE AND BED AND BREAKFAST, BY AMENDING THE DEFINITION FOR BOARDING HOUSE, BY ADDING DEFINITIONS FOR COMMERCIAL PARKING LOT AND CONTRACTORS, BY AMENDING THE DEFINITION FOR CONVENIENCE STORE, BY ADDING A DEFINITION FOR DISTRIBUTION TERMINAL, BY AMENDING THE DEFINITION OF FARMERS' MARKET, BY ADDING DEFINITIONS FOR GAS STATION, MANUFACTURING, LIGHT INDUSTRIAL, MIXED USE BUILDING AND NIGHTCLUB, BY AMENDING THE DEFINITION FOR PERSONAL SERVICE, BY ADDING DEFINITIONS FOR PRINTING & COPYING SERVICE, RECREATION, INDOOR AND OUTDOOR AND RETAIL FOOD MARKET, BY AMENDING THE DEFINITION OF SCHOOL, BY DELETING THE DEFINITION OF SEMI-PUBLIC BODY, BY ADDING DEFINITIONS FOR SUPERMARKET, TELECOMMUNICATIONS TOWER, TOURIST ACCOMMODATION, TOURIST ATTRACTION, WAREHOUSING AND STORAGE USE AND WHOLESALE WAREHOUSING AND DISTRIBUTION CENTERS, AMENDING SECTION 59-282 (PERMITTED PRINCIPAL USES IN THE HM ZONING DESIGNATION), AMENDING SECTION 59-284 (CONDITIONAL USES IN THE HM ZONING DESIGNATION, AMENDING SECTION 59-302 (PERMITTED PRINCIPAL USES IN THE T ZONING DESIGNATION), AMENDING SECTION 59-304 (CONDITIONAL USES IN THE T ZONING DESIGNATION), AMENDING SECTION 59-322 (PERMITTED PRINCIPAL USES IN THE NC ZONING DESIGNATION), AMENDING SECTION 59-324 (CONDITIONAL USES IN THE NC ZONING DESIGNATION), AMENDING SECTION 59-342 (PERMITTED PRINCIPAL USES IN THE CC ZONING DESIGNATION), AMENDING SECTION 59-344 (CONDITIONAL USES IN THE CC ZONING DESIGNATION), AMENDING SECTION 59-362 (PERMITTED PRINCIPAL USES IN THE RC ZONING DESIGNATION), AMENDING SECTION 59-364 (CONDITIONAL USES IN THE RC ZONING DESIGNATION), AMENDING SECTION 59-382 (PERMITTED PRINCIPAL USES IN THE OP ZONING DESIGNATION), AMENDING SECTION 59-384 (CONDITIONAL USES IN THE OP ZONING DESIGNATION), AMENDING SECTION 59-402 (PERMITTED PRINCIPAL USES IN THE CM ZONING DESIGNATION), AMENDING SECTION 59-404 (CONDITIONAL USES IN THE CM ZONING DESIGNATION); ADDING SECTION 59-280 (COMMERCIAL ZONING MATRIX) AND PROVIDING FOR AN EFFECTIVE DATE, and

ORDINANCE NO.17-2002 AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA AMENDING SECTION 49-480 BY ADDING THE INDUSTRIAL ZONING MATRIX, SECTION 59-482 (PERMITTED PRINCIPAL USES IN THE M-1 ZONING DESIGNATION), SECTION 59-484 (CONDITIONAL USES IN THE M-1 ZONING DESIGNATION), SECTION 59-502 (PERMITTED PRINCIPAL USES IN THE M-2 ZONING DESIGNATION), SECTION 59-504 (CONDITIONAL USES IN THE M-2 ZONING DESIGNATION), SECTION 59-522 (PERMITTED PRINCIPAL USES IN THE M-3 ZONING DESIGNATION), SECTION 59-524 (CONDITIONAL USES IN THE M-3 ZONING DESIGNATION), SECTION 59-542 (PERMITTED PRINCIPAL USES IN THE PID ZONING DESIGNATION), SECTION 59-544

Vice-Mayor Rainey	yes
Member Eigenmann	yes
Mayor Swank	yes

The motion carried.

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Petitions and Requests from the Public Present Mr. Jim Crowell mentioned the Planning and Zoning Commission opposition on the proposed industrial and commercial zoning matrix. He was of the opinion that the Commission was at a stalemate with Planning staff on certain issues. Mr. Crowell indicated that major disagreement involved permitting commercial businesses in the industrial districts and residential districts and residential uses in commercial districts. In addition, he requested a joint meeting with the City Council, Planning Staff and the Planning and Zoning Commission.

City Manager Harmer mentioned some of Mr. Crowell's concerns related to the "housekeeping" issues that would be addressed prior to the May 28, 2002 public hearing. The critical areas of concern were the commercial and industrial zoning districts. It was also noted that Mr. Crowell personally owned property within the zoning districts and it was directly affected by the current zoning. Attorney Severs stated that prior to 1991 Code of Ordinance most business uses allowed the M-1 (Light Industrial Services and Warehouses) zoning district. Attorney Severs said he would provide council with a copy of the previous code and other pertinent background information relating to the change.

Vice-Mayor Rainey recommended that Planning staff continue dialogue with the Planning and Zoning Commission before the May 28, 2002 meeting. He stated if the issues were not addressed before the May 28th meeting, then a joint meeting would be scheduled.

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Ms. Nelly Strickland voiced her opposition to the Vectorworks, Inc. proposal. She wanted to know if future plans included development of condominiums on the property. In her opinion, this was giving away public land. Vice-Mayor Rainey indicated he was not aware of any plans to develop condominiums on the property. Member Ward reiterated council was not aware of plans to develop condominiums and he would not support a proposal of that magnitude along the riverfront.

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Mayor and Council Report Mayor Swank provided a written report on his activities since the last meeting. Member Eigenmann mentioned council should not set a standard by helping contractors out of their mistakes referring to Resolution No. 15-2002, which vacated an utility easement due to an incorrect survey. Member Ward advised of his election to the Board of Education for Sculptor Elementary School.

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City Managers Report City Manager Harmer distributed results of the goals workshop, including the top seven priorities. He also mentioned letters of appreciation were received for the following employees: David McCourt, Carol Joyce Guntner, Mark Morgan,

Margaret Nix, Aaron Ziegler, and Gary Boyer. City Manager Harmer stated the checklist regarding the street renaming process was included in the agenda packet. He advised council that Kiwanis Club agreed to accept temporary ownership of the rocket. It was announced that Ms. Angela Sharkey would present an action plan at a future meeting.

Mr. Bob Erickson, Finance Director distributed copies of the Comprehensive Annual Financial Report. He mentioned a formal presentation would be scheduled for April 9, 2002. He advised of the renovations in the reception area at city hall. City Manager Harmer announced he was elected to serve as president of the Brevard County Public Management Association. Finally, he reported that Human Resources Director Connie Collins would serve as Acting City Manager in his absence from March 27th through 31st.

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City Attorney Report Attorney Severs stated he expected a ruling on the manatee litigation shortly. He received ruling as to the cost of the transcript being provided at the rate of the State's cost.

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Vice-Mayor Rainey commended the Finance Director for getting financial reports to council on a timely basis.

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The meeting adjourned at 8:30 p.m.

Ronald G. Swank, Mayor

ATTEST:

Karan J. Rounsavall, City Clerk