

City Council
Regular Meeting
July 9, 2002

The City Council of the City of Titusville, Florida met in regular session in the Council Chamber of City Hall, 555 South Washington Avenue, on Tuesday, July 9, 2002 beginning at 9:36 p.m. following the conclusion of the Community Redevelopment Agency meeting.

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Present were Mayor Ron Swank, Vice-Mayor Jeff Rainey, and Council Members Conrad Eigenmann, Chris Broome, and Ken Ward. Also in attendance were City Manager Tom Harmer, City Attorney Dwight Severs, and City Clerk Karan Rounsavall.

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Mayor Swank called the meeting to order and asked the audience to observe a moment of silence. The entire assembly recited the Pledge of Allegiance to the Flag.

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The first matter of business was approval of minutes of regular meeting June 25, 2002. Member Broome moved to approve the minutes as submitted. Vice-Mayor Rainey seconded the motion and it carried unanimously.

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Presentations Peggy Crooks, a city appointee to the North Brevard Hospital District Board, gave its semi-annual report which highlighted the opening of the new medical facility planned for October 12, 2002.

Due to the late starting time, presentations from the Economic Development Department and Fire and Emergency Services were deferred to the July 23, 2002 council meeting.

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Consent Agenda The only item was the area impact plan for Rio Del Sol, a 13-unit patio home development located at 4275 South Washington Avenue. The Planning and Zoning Commission unanimously recommended approval. Vice-Mayor Rainey moved for approval as recommended. Member Broome seconded the motion and it carried with Member Ward abstaining from the vote. Canaveral Engineering Group, of which Mr. Ward was president, was the engineer of record for the project.

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Petitions and Requests from the Public Present Nelly Strickland supported Titusville's membership in the Economic Development Commission of Florida's Space Coast, however, felt that the city should disband its own economic development department and suggested that the director resign. As to the Community Redevelopment Agency, she felt that the meeting held earlier in the evening should have been scheduled for a separate date. Ms. Strickland also felt

that the senior planner assigned to the downtown area spent too much time on his "pet" projects and suggested that he resign as well. Ms. Strickland went on to express her opinion that the city manager should listen to council rather than promote his own desires and asked for his resignation. If police officers were paid more, the take-home car program would not be necessary.

Joan Wheeler spoke in regard to Ordinance No. 30-2002 regarding the outdoor display of merchandise and signage in the downtown area. If such activities were to be allowed in one part of the community, they should be allowed in all areas.

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Ordinances - First Reading Attorney Severs read ORDINANCE NO. 31-2002 OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988 WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY BY CHANGING THE LAND USE DESIGNATION AND BY CHANGING THE FUTURE LAND USE MAP TO INCLUDE CERTAIN PROPERTY AT 1540 NORTH SINGLETON AVENUE LOCATED NORTH OF DAIRY ROAD TO BE ANNEXED INTO THE CITY LIMITS OF THE CITY OF TITUSVILLE, FLORIDA AND DESIGNATING COMMERCIAL LOW INTENSITY LAND USE FOR SAID PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE and

ORDINANCE NO. 32-2002 OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 7 OF CHAPTER 63-2002, LAWS OF FLORIDA, SPECIAL ACTS OF 1963, BY ANNEXING CERTAIN PROPERTY AT 1540 NORTH SINGLETON AVENUE LOCATED NORTH OF DAIRY ROAD TO BE INCLUDED WITHIN THE CITY LIMITS; DESIGNATING LAND USE CLASSIFICATION; PROVIDING ZONING CATEGORY; AND PROVIDING FOR AN EFFECTIVE DATE the first time by title only.

Second reading and public hearing were scheduled for July 23, 2002.

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Public Hearings and Related Action The only item was Ordinance No. 30-2002 amending the *Land Development Regulations* by permitting the outside display of merchandise in the Central Business District (CBD) zoning classification, specifically the area bounded by Garden Street to the north, Pine Street to the south, Indian River Avenue to the east and Palm Street to the west. The Planning and Zoning Commission recommended approval.

Attorney Severs read ORDINANCE NO. 30-2002 OF THE CITY OF TITUSVILLE, FLORIDA AMENDING SECTION 59-665 (PROHIBITED USES IN THE CBD ZONING DESIGNATION) TO ALLOW OUTDOOR DISPLAY IN THE DOWNTOWN AREA OF THE CBD ZONING DESIGNATION AND SECTION 59-669 (GENERAL PROVISIONS OF THE CBD ZONING DESIGNATION) TO ALLOW SANDWICH-TYPE SIGNAGE IN THE DOWNTOWN AREA OF THE CBD ZONING DESIGNATION AND TO CORRECT MISFORMATTED DOLLAR AMOUNTS; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

Mayor Swank opened the public hearing. Jill Halliday, the owner of a downtown business, spoke in favor of the ordinance. She felt that the outside display of merchandise enhanced the character

of the downtown atmosphere. Further, she did not oppose businesses outside the downtown district also being permitted to set up outside merchandise displays.

Carol Wilson also spoke in favor and asked for clarification as to where merchandise might be displayed. It was explained that signs and merchandise could only be displayed on private property and not in the public right-of-way and only during operating hours of the establishment.

Loys Ward also supported the ordinances. By design, redevelopment areas were to be treated separately.

No one else wished to speak and the public hearing was closed.

Member Broome moved for adoption. Member Eigenmann seconded the motion. Vice-Mayor Rainey felt that some of the businesses along Hopkins Avenue could benefit from similar regulations and entertained a motion along this line. There was none. Roll call was:

Member Broome	yes
Member Ward	yes
Member Eigenmann	yes
Vice-Mayor Rainey	no
Mayor Swank	yes

The motion carried. Member Eigenmann asked staff to review the feasibility of allowing outside displays in other areas of the city and to report back to council.

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Old Business Roy Crawford, Executive Director of Community Development, responded to complaints about drainage problems on Ashley Drive in the Hickory Green Subdivision that were made at the June 25th meeting. City staff visited the area and noted several deficiencies. These were in the process of being remedied to the extent possible.

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New Business Management Information Systems Director Rick Roberts gave an update on the systems conversion project. Several HTE modules were already operational, including payroll, direct deposit, general ledger, and purchasing. Remaining modules were scheduled to go live no later than the first quarter of Calendar Year 2003. The project was within budget and well received by users.

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Mayor and Council Reports The mayor provided a written report on his activities since the last meeting. He went on to advise of an ordinance pending before the Brevard County Commission to create a special water and sewer district in the unincorporated areas of Brevard County. The proposed ordinance would require the consent of the Board of County Commissioners for another entity to provide services or draw water from an unincorporated area. This proposed ordinance was of particular concern to Titusville as it was negotiating for new water supply in North Brevard/South Volusia. The proposal was discussed at the latest meeting of the Space Coast League of Cities (SCLC) which *unanimously* agreed to send a letter of concern to the County Commissioners asking for delayed implementation (*correction made by Mayor Swank at*

the July 23, 2002 meeting). The League also agreed to form a committee with municipal representation to meet with Brevard County on this matter.

Vice-Mayor Rainey moved to authorize the mayor to send a letter to the Brevard County Commission objecting to the proposal in its present form and asking that it be tabled pending further dialogue. Member Broome seconded the motion and it carried unanimously.

Member Ward then moved to appoint Mayor Swank to the committee being formed under the auspices of the Space Coast League of Cities to work with Brevard County on this proposal. Member Eigenmann seconded the motion and it carried unanimously.

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City Manager's Report City Council acknowledged receipt of the manager's written report.

City Manager Harmer commended the progressive, ethical, and proactive employees working for the City of Titusville. It was difficult for him to listen to disparaging comments about individual employees. He also clarified that Walt Johnson's membership dues in the Economic Development Council of East Central Florida were paid with private funds.

The city manager read the names of Police Department employees receiving letters of appreciation: Chris DeLoach, Don Kelley, Kevin Hickey, Deadra Andis, Lynn Zagora, John Lau, Matt Demmon, Jeff King, Josh Little, Warren Van Vuren, Alexia Ferran, Ron Larson, Doug Massey, Jeff Lutz, Lincoln Strom, Ann Connery, Barry Williams, Todd Hutchinson, Cleyton Bray, Aaron Ziegler, Kevin Vanover, Scott Larsson, Zsolt Rimoczi, Frank Ross, John Richardson, David Rodriguez, Victor Rodriguez, Dan Carter, Bob Mahaney, Tom House, Gary Boyer, Will Newman, Kevin Hickey and Todd Murphy.

The City of Titusville received a \$200,000 grant from Florida Recreation Development Assistance Program for development of a multi-use trail from Wuesthoff Park to W. W. James Park.

The Public Works Department investigated complaints voiced at the June 25th council meeting with regard to traffic signals in the downtown area. Several problems were identified and were currently being addressed.

City Manager Harmer announced a meeting of the Florida Department of Transportation on July 11, 2002 at city hall to discuss planned resurfacing and parking restrictions on Garden Street. Member Ward asked that this meeting be announced on the government access. He also advised that citizens emergency response team training was scheduled to begin on July 24, 2002. The deadline to apply was July 19, 2002.

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City Attorney's Report Attorney Seers advised that he would be attending the municipal attorneys' conference the remainder of the week.

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The meeting adjourned at 10:33 p.m.

Ronald G. Swank, Mayor

ATTEST:

Karan J. Rounsavall, City Clerk