

City Council
Special Meeting
February 4, 2003

The City Council of the City of Titusville, Florida met in special session in the Council Chamber of City Hall, 555 South Washington Avenue, on Tuesday, February 4, 2003.

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Mayor Ronald Swank called the meeting to order at 6:30 p.m. Present were Council Members Christopher Broome, and Conrad Eigenmann. Also in attendance were City Attorney Dwight Severs, City Manager Tom Harmer, and Community Development Director Roy Crawford. Vice-Mayor Jeff Rainey and Member Ken Ward were absent.

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Pastor Larry Linkous of New Life Christian Fellowship gave the invocation. Pastor Linkous expressed his condolence to the families of the Shuttle Columbia Tragedy. The entire assembly stood to recite the Pledge of Allegiance to the Flag.

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Mayor Swank read a letter in recognition of the seven Columbia Astronauts.

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The purpose of the meeting was for the following: (1) Discuss items deferred from January 28, 2003 regular meeting; and (2) Continue discussion on City of Titusville Comprehensive Plan.

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Since it was not yet 7:00 p.m., the designated time for public hearing, council moved to New Business. The item was deferred from the January 28, 2003 regular meeting.

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New Business:

Acceptance of City Manager's Performance Evaluation Summary (October 1, 2001-September 30, 2002)- Member Broome asked whether or not Vice-Mayor Rainey completed the performance evaluation. City Manager Harmer indicated the he met with Vice-Mayor Rainey. It was noted that Vice-Mayor Rainey provided an oral evaluation for period October 1, 2001 through September 30, 2002. Member Broome moved to accept the City Manager's performance evaluation. Member Eigenmann seconded the motion. The motion passed unanimously.

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Boards and Commissions- appoint regular members and an alternate member to the Planning and Zoning Commission for a term expiring January 31, 2005. Council considered reappointment of John Beasley, George Fayson, and Lorene Shafer regular members; in addition, alternate member Shawn Williams. Member Broome moved to reappoint members. Member Eigenmann seconded the motion. The motion carried unanimously.

The meeting recessed at 6:55 p.m. and reconvened at 7:05 p.m.

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Mayor and Council Reports Mayor Swank provided a written report on his activities since the last meeting. He expressed a desire to send a letter to the Florida Department of Transportation Highway Beautification Committee to thank the Department for providing funding for landscaping sections of State Road 405. Member Broome moved to approve request to send the letter to Florida Department of Transportation Beautification Committee. Member Eigenmann seconded the motion. The motion passed unanimously.

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City Manager's Report City Council acknowledged his written report. He read names of employees who received letters of appreciation. Police Department: David Rodriguez, Stuart Otto, Deadra Andis, Alexia Ferran, Zanita Greer, John Lau, Jessica Sultan, Patricia Morgan, Jeff Lutz, Kevin Vanover, Steve Bridges, Tom Fiorito, Todd Hutchinson, Bobby Mutter, Mel Williams, Joel Hunter, Scott Larsson, Leamon Jackson III, Manny Conde, Bill Gillespie, Lavada Jenkins, Zsolt Rimoczi, Kevin Hickey, and Paul Smith. Billing and Collections: Patti Woodward. Community Development: Debbie Strom.

City Manager Harmer highlighted special meetings and upcoming events. He announced the city/county summit meeting on annexation issues and requested that Mayor Swank and/or a council member attend the meeting on Friday, February 21, 2003.

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City Attorney's Report Attorney Severs reported his attendance at Brevard County Water Supply Board. He mentioned that he would attend April 4, 2003 meeting and provide an update.

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The meeting recessed at 6:55 p.m. and reconvened at 7:05 p.m.

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Ordinances Second Reading, Public Hearings and Related Action Ordinance No. 10-2003 reducing charges for delinquent utility bills.

Attorney Severs read ORDINANCE NO. 10-2003 OF THE CITY OF TITUSVILLE, FLORIDA AMENDING SECTION 21-244(a) OF THE CITY OF TITUSVILLE CODE OF ORDINANCES BY AMENDING AND MODIFYING THE CHARGES FOR DELINQUENT BILLS; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

City Manager Harmer provided a brief update. He noted that a survey of the late fees charged by other local city water and sewer providers was conducted. It was noted that the results revealed that the City of Titusville's delinquent fees were greater than the other cities surveyed. Lowering the City's charges

would make them more competitive to other utilities, while still covering the administrative cost and providing the necessary incentive to promote timely payment of bills.

Mayor Swank opened the public hearing. No one wished to speak. The public hearing was closed. Member Eigenmann moved to adopt Ordinance No. 10-2003 as recommended. The roll call was:

Mayor Swank	yes
Member Eigenmann	yes
Member Broome	yes

The motion carried.

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Next was Ordinance No. 3-2003 rezoning property located on the east side of Sisson Road south of Little League Lane from multi-family residential (R-3) to single-family residential (R-1b). (Application No. 1-2003).

Attorney Severs read ORDINANCE NO. 3-2003 AN ORDINANCE 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 CHANGING PROPERTY LOCATED ON THE EAST SIDE OF SISSION ROAD SOUTH OF LITTLE LEAGUE LANE FROM ITS PRESENT MULTI-FAMILY, HIGH DENSITY RESIDENTIAL (R-3) CLASSIFICATION TO SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (R-1B) CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

Attorney Severs indicated that staff had received a letter from the applicant requesting to table the item until May 27, 2003. Member Eigenmann moved to table Ordinance No. 3-2003 as recommended. Member Broome seconded the motion and it passed unanimously.

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Next was Ordinance No. 4-2003 amending the Comprehensive Plan by changing the Future Land Use Map to include the following properties and providing land use. The Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval of Small Scale Amendment Nos. 1-2003, 2-2003, and 3-2003 and denial of No. 4-2003. At its regular meeting on January 28, 2003, council took action to deny SSA # 2-2003 and SSA #4-2003. Accordingly, these were deleted from consideration.

Attorney Severs read AN ORDINANCE 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 AMENDING THE VARIOUS ELEMENTS OF SAID PLAN AND MAPS BY CHANGING THE FUTURE LAND USE MAP TO INCLUDE CERTAIN PROPERTIES TO BE ANNEXED INTO THE CITY LIMITS OF THE CITY OF TITUSVILLE, FLORIDA AND DESIGNATING A LAND USE CLASSIFICATION; AMENDING THE FUTURE LAND USE MAP TO INCLUDE CERTAIN PROPERTIES LOCATED SOUTHWEST OF COLUMBIA BOULEVARD (STATE ROAD 405)

APPROXIMATELY 1,400 FEET WEST OF KIRKWOOD TRAIL TO BE ANNEXED INTO THE CITY WITH COMMERCIAL LOW INTENSITY AND CONSERVATION LAND USES; AMENDING THE FUTURE LAND USE MAP TO INCLUDE PROPERTIES GENERALLY LOCATED SOUTHWEST OF COLUMBIA BOULEVARD (STATE ROAD 405) ACROSS FROM KIRKWOOD TRAIL TO BE ANNEXED INTO THE CITY WITH RESIDENTIAL AND CONSERVATION LAND USES; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

City Manager Harmer noted that this was the first Small Scale Comprehensive Plan Amendment (SSA) to be processed for 2003. The components were identified as:

SSA#1-2003 Annexation of property generally located on the south side of State Road 405 approximately 1,400 feet west of Kirkwood Trail with commercial low intensity land use and community commercial (CC), and Open Space and Recreation (OR) zoning.

SSA#3-2003 Annexation of property located on the south side of State Road 405 directly across from Kirkwood Trail with residential land use and multi-family residential (R-3) zoning.

Mayor Swank opened the public hearing. No one wished to speak. Mayor Swank closed the public hearing.

Member Eigenmann moved to adopt Ordinance No. 4-2003. Member Broome seconded the motion. The roll call was:

Member Eigenmann	yes
Member Broome	yes
Mayor Swank	yes

The motion carried.

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Next was Ordinance No. 5-2003 annexing property generally located on the south side of State Road 405 approximately 1,400 feet west of Kirkwood Trail with commercial low intensity and conservation land use and community commercial (CC) and open space and recreation (OR) zoning.

Attorney Severs read ORDINANCE NO. 5-2003 AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 7, OF CHAPTER 63-2001, LAWS OF FLORIDA, SPECIAL ACTS OF 1963, BY ANNEXING CERTAIN PROPERTY GENERALLY LOCATED SOUTHWEST OF COLUMBIA BOULEVARD (STATE ROAD 405) APPROXIMATELY 1,400 FEET WEST OF KIRKWOOD TRAIL TO BE INCLUDED WITHIN THE CITY LIMITS; DESIGNATING LAND USE CLASSIFICATION; PROVIDING ZONING CATEGORY; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

Mayor Swank opened the public hearing. No one wished to speak. Mayor Swank closed the public hearing.

Member Broome moved to adopt Ordinance No. 5-2003. Member Eigenmann seconded the motion. The roll call was:

Member Broome	yes
Mayor Swank	yes
Member Eigenmann	yes

The motion carried.

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Next was Ordinance No. 7-2003 annexing property located on the south side of State Road 405 directly across from Kirkwood Trail with residential and conservation land use and multi-family residential (R-3) and open space and recreation (OR) zoning.

Attorney Severs read ORDINANCE NO. 7-2003 AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 7, OF CHAPTER 63-2001, LAWS OF FLORIDA, SPECIAL ACTS OF 1963, BY ANNEXING CERTAIN PROPERTY GENERALLY LOCATED SOUTHWEST OF COLUMBIA BOULEVARD (STATE ROAD 405) DIRECTLY ACROSS FROM KIRKWOOD TRAIL TO BE INCLUDED WITHIN THE CITY LIMITS; DESIGNATING LAND USE CLASSIFICATION; PROVIDING ZONING CATEGORY; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

Mayor Swank opened the public hearing. No one wished to speak. Mayor Swank closed the public hearing.

Member Eigenmann moved to adopt Ordinance No. 7-2003. Member Broome seconded the motion. The roll call was:

Mayor Swank	yes
Member Eigenmann	yes
Member Broome	yes

The motion carried.

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Next was Ordinance No. 9-2003 rezoning property located at 156 Einig Avenue from single family high density residential (R-1c) to light industrial services and warehousing (M-1) as requested by Pamela Duncan (Application No. 2-2003). The Planning and Zoning Commission recommended approval.

Attorney Severs read Ordinance No. 9-2003 AN ORDINANCE 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 CHANGING PROPERTY AT 15 EINIG AVENUE FROM ITS PRESENT SINGLE FAMILY HIGH DENSITY RESIDENTIAL (R-1c)

CLASSIFICATION TO LIGHT INDUSTRIAL SERVICES AND WAREHOUSING (M-1) CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

Mayor Swank opened the public hearing. Pamela Duncan spoke in favor of the request. Mayor Swank closed the public hearing.

Member Broome moved to adopt Ordinance No. 9-2003. Member Eigenmann seconded the motion. The roll call was:

Member Eigenmann	yes
Member Broome	yes
Mayor Swank	yes

The motion carried.

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Next City Council continued discussion on City of Titusville Comprehensive Plan. City Manager Harmer indicated that the purpose of the discussion was to continue the review of the Comprehensive Plan. He mentioned that staff prioritized the comments by council at its December 17, 2002 special meeting. City Manager Harmer stated that council could begin the process by starting with the land use element. Member Eigenmann stated that he would like to review and discuss a couple of sections at each meeting. However, he felt that it was at a disadvantage because of the absence of Vice-Mayor Rainey and Member Ward.

Member Eigenmann expressed concern regarding the citizen survey. He felt that it was important that staff receive a substantial amount of responses from the public. Mayor Swank agreed with comments made by Member Eigenmann, but he suggested that council commit to a series of special meetings to review the Comprehensive Plan. Member Broome stated that he would like for the meetings to begin at 6:30 p.m. City Manager Harmer indicated that staff would consider some specific dates and forward to council for consideration.

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Walter Pine said that he requested several copies of the Future Land Use Map and never received requested copies. He asked that council address citizen’s concerns regarding Marina Park. Thelma Roper expressed concern regarding the Future Land Use Map. She stated that it was important that council preserve the waterfront property. Laura Ward commented on the future of Titusville. Barbara Fine felt that it was important that council preserve waterfront property. She also commented that citizens should be notified of the comprehensive plan review meetings.

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Comments from the public-Walter Pine commented on letter that staff received regarding Vectorworks. He asked that council direct staff not to respond to any correspondence relating to Marina Park without council’s consent. Member Eigenmann moved to direct staff to not respond to correspondence relating to Marina Park without council’s consent. Member Broome seconded the motion and it passed unanimously.

Joan Wheeler suggested that council re-instate impact fees. Susan Canada commented on VectorWorks. Thelma Roper commented on paving certain streets within the city. Bea Polk thanked council for its decision regarding staff receiving correspondence relating to Marina Park.

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The meeting adjourned at 8:50 p.m.

Ronald G. Swank, Mayor

ATTEST:

Karan Rounsavall, City Clerk