

City Council
Special Meeting
January 20, 2004

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, January 20, 2004.

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Mayor Ron Swank called the meeting to order at 6:30 p.m. Present were Vice-Mayor Ken Ward and Members Conrad Eigenmann and Jeff Rainey. Also in attendance were City Attorney Dwight Severs, City Manager Tom Harmer, Housing and Community Development Director Marie Engblom, CDBG Planner Nancy Dresser, and Recording Secretary Judy Renaud. Member Chris Broome was absent.

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Mayor Swank asked for a moment of silence and the entire assembly recited the Pledge of Allegiance to the Flag.

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The first item was the performance review of Community Development Block Grant (CDBG) and the HOME Programs. Ms. Engblom reported that the city's Consolidated Plan Strategies expire in 2005. Staff was in the process of preparing a new five-year plan in cooperation with Brevard County and consortium members to which was due by November 2004. She presented a PowerPoint presentation that highlighted the improvements and rehabilitations for Fiscal Year 2003/2004. She also gave a brief update on the repaving of Jepson Street, Ellis Circle, and Osceola Road.

CDBG Planner Nancy Dresser commented on the Five Year Consolidated Plan and the yearly requirement to hold a public hearing to discuss the strategies and also receive comments. She reviewed the following list of Consolidated Plan Strategies for Fiscal Year 2000-2005 for the City of Titusville: (1) Preserve and provide affordable housing opportunities; (2) Provide public services to encourage self-sufficiency among children, adults, families and the elderly; (3) Provide infrastructure and neighborhood improvements in the low/moderate income areas and; (4) Create economic development activities that will result in job opportunities for low/moderate income persons.

Mayor Swank opened the public hearing.

William Miller and Justin Wilson spoke in support of the funding request for the Coalition for the Hungry and Homeless of Brevard County, Inc.

As no one else wished to speak, Mayor Swank closed the public hearing.

It was noted that the total allocation for the Fiscal Year 2003/2004 CDBG funding was \$406,000, and the HOME Investment Program total allocation was \$171,767.

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Council then heard from the agencies requesting CDBG funding for Fiscal Year 2004/2005.

City of Titusville-Fire and Emergency Services Department - Reggie Belle, Life Safety Specialist, Smoke Detector/Carbon Monoxide Detector Program - \$5,230.00 in the Other Category.

PREVENT! of Brevard, Inc. – Cheryl Lawson-Young, Site Supervisor, HIV/AIDS Prevention Education/Outreach Project, \$24,702.00 in the Public Services Category.

The Housing Authority of the City of Titusville – Cindy Shavers, Grants Coordinator and Bill Cassell, Technical Coordinator - Maxwell Court Driveway and Sidewalk Replacement Project, \$70,000.00 in the Other Category.

North Brevard Charities Sharing Center – Joe Robinson, Executive Director - Emergency Housing Program, \$250,000.00 in the Public Service Category.

City of Titusville-Public Works Department – Stan Johnston, Project Engineer - Dirt Road Improvement Program, \$250,000.00 in the Other Category.

Titusville Police Athletic League (PAL) – Sergeant Tom Barry - Youth Enrichment Program, \$13,690.00 in the Public Services Category.

Community Housing Initiative, Inc. – Nicole Tenpenny, Executive Director – Housing Counseling Program, \$1,575.00 in the Public Services Category.

Family Counseling Center of Brevard, Inc. – Phil Kolodziej, President/CEO - Mental health counseling for children and families, \$15,000 in the Public Service Category.

Brevard County Parks & Recreation Department – Terry Lane, North Area Parks Operation Interim Manager - North Area Isaac Campbell, Sr. Park softball field lighting project, \$125,565.00 in the Other Category.

Brevard County Parks & Recreation Department – Terry Lane, North Area Parks Operation Interim Manager - North Area Blanton Park basketball court renovation and security lighting project, \$30,540.00 in the Other Category.

Coalition for the Hungry & Homeless of Brevard County, Inc. – Ginger Ferguson, Executive Director - WIN/Vet Program, \$15,000.00 in the Public Services Category.

Space Coast Habitat for Humanity Lot – Ray Berthiaume, President - acquisition/new construction program, \$50,000.00 in the Other Category.

Easter Seals Florida, Inc. – Gail Edwards, Executive Director - Adult Day Services, \$14,664.00 in the Public Services Category.

Consumer Credit Counseling Service – Dorothy Park, Counselor - Budget Counseling, Debt Management and Housing Counseling, \$10,000.00 in the Public Services Category.

Space Coast Center for Independent Living – Donna Taylor, Executive Director - ADA home modifications servicing persons with disabilities, \$15,000.00 in the Other Category.

Child Care Association of Brevard County, Inc. – Barbara Moore, Executive Director - Child care services for children and families, \$16,000.00 in the Public Services Category.

Brevard Alzheimer’s Foundation, Inc. – Kim Roberts, Executive Director - Titusville Adult Day Health Program, \$20,000.00 in the Public Services Category.

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The meeting recessed at 8:12 p.m. and reconvened at 8:21 p.m.

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City of Titusville, Housing and Community Development Department – Marie Engblom, Housing and Community Development Director, requested funds as follows:

CDBG Administration/Operational Costs	\$80,700.00
CDBG Administration-Fair Housing Education & Outreach	\$ 500.00
Demolition Program	\$20,000.00
Downtown Improvement Program	\$70,000.00
Home Maintenance Workshops	\$ 300.00

Total amount requested from CDBG \$864,194.00; total amount allocated from CDBG \$406,000.00.

City of Titusville, Housing and Community Development Department – Marie Engblom, Housing and Community Development Director, requested funds for the HOME Program as follows:

HOME Administration/Operational Costs	\$17,177.00
HOME CHDO 15% set-aside (mandatory)	\$25,765.00
HOME Housing Rehabilitation Program	\$78,825.00
HOME Housing Replacement Program	\$50,000.00

Total amount requested and allocated from HOME was \$171,767.00.

Ms. Engblom announced staff would make its following recommendation and forward to Council for its March 9, 2004 meeting.

Mayor Swank thanked all of the presenters.

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The next item was the first public hearing on Ordinance No. 2-2004 amending the *Land Development Regulations*, specifically to exclude submerged lands in the calculation of density, lot size, and setbacks for waterfront properties. Attorney Severs read ORDINANCE NO. 2-2004 OF THE CITY OF TITUSVILLE, FLORIDA AMENDING SECTION 27-11 (DEFINITIONS) BY MODIFYING THE DEFINITION OF "LOT" AND PROVIDING FOR AN EFFECTIVE DATE by title only.

City Manager Harmer reported that at its November 25, 2003 meeting, Council authorized staff to bring forward an Ordinance to modify the definition of "Lot" in the *Land Development Regulations*. The purpose was to clarify the computation of lot size, density and setbacks on waterfront properties. Currently, the Code is silent on the utilization of submerged lands along the Indian River to compute density requirements. The proposed Ordinance would not allow submerged lands to be used in the calculation. The modified definition was consistent with Brevard County's definition.

Attorney Severs advised Council of a procedure to claim vested rights by which an individual would have a time period to claim vested rights as to the use of submerged lands and submit documentation. He recommended Council consider such a procedure.

The second and final public hearing was scheduled for Tuesday, February 3, 2004.

Mayor Swank opened the public hearing.

Roger Molitor opposed the proposed ordinance modification. He supported the use of submerged lands in the calculation for density. Property owners had been taxed on submerged lands.

Member Eigenmann requested information regarding how much taxes had been paid on submerged lands.

Bob Kirk opposed the ordinance modification and supported the use of submerged lands in the density calculation. He also encouraged Council to look at the number of properties on the river and the economic benefits. He questioned this item being placed on a special meeting.

Mayor Swank mentioned that the first public hearing for this ordinance was this evening due to an advertising delay with *Florida Today*. The second public hearing was scheduled on Tuesday, February 3, 2004, during a special meeting to discuss the riverfront.

Laura Ward spoke in support of the proposed change. She was advised by the Appraiser's Office that submerged land was basically worthless and it was taxed at \$10 per year. The land had

nominal/minimal value. She discussed the proposed change, dealing with the equity issue, and urged Council to act properly on this item.

Kathleen Burson spoke in support of the modification. She encouraged Council to take the emphasis off the shoreline and place the construction on the west side of the street. It was very important to have the view of the water. She mentioned that a scenic vista was ranked number three in an April 2003 City survey. She favored retaining waterfront property and felt there were too many condos.

Vice-Mayor Ward commented that these points were valid in a wonderful world. Government had to find the mechanism and funding source in order to have a balance. There was public land with so much vegetation that the public could not see the river. There had to be a funding source to clear and purchase riverfront land.

Kathleen Burson reiterated her support of putting development across the street from the river. She suggested a referendum in November.

The public hearing was closed.

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The next item was the consideration of Resolution No. 4-2004 to consider an anonymous tax abatement application submitted by an international manufacturing/transportation corporation who requested confidentially at this stage of the process; requesting an analysis from the Brevard County Property Appraiser as to the fiscal impact; requesting an economic impact analysis from the Space Coast Economic Development Commission; and to authorize a public hearing to consider an ordinance granting an exemption. City Manager Harmer stated that the first phase of development would entail the construction of a facility with at least three office spaces and a hangar facility for two aircraft. The second phase would require a 30,000 square foot facility. Construction was scheduled to begin in the fourth quarter of 2005 with 25 new employees anticipated by the end of 2006. Total capital investment included \$2.6 million in new construction and \$2.19 million in personal tangible property. Brevard County would consider an ad valorem tax exemption at its public hearing for February 10, 2004. Pending adoption of Resolution No. 4-2004, the identity of the company would be revealed no later than February 10, 2004.

Member Rainey moved to adopt Resolution No. 4-2004 as presented. Vice-Mayor Ward seconded the motion and the roll call was:

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

The motion carried unanimously.

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Comments from Public Present - Laura Ward agreed with Vice-Mayor Ward that the City should not obtain property without paying for it. She proposed that there be a ballot item for a five-year program to fund the purchase of land that did not have development potential.

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The meeting adjourned at 8:58 p.m.

Ronald G. Swank, Mayor

ATTEST:

Karan J. Rounsavall, City Clerk