

City Council
Regular Meeting
June 22, 2004

The City Council of the City of Titusville, Florida met in regular session on Tuesday, June 22, 2004 in the Council Chamber of City Hall, 555 South Washington Avenue, Titusville, Florida.

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

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Mayor Swank called the meeting to order at 6:30 p.m. and asked for 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 for the May 25, 2004 regular meeting and June 8, 2004 regular meeting. Member Rainey moved to accept the minutes as presented. Vice-Mayor Ward seconded the motion and it carried unanimously.

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Special Recognitions City Manager Tom Harmer recognized Housing Community Development Planner Nancy Dresser from the Community Development Department as employee of the month for June 2004.

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Presentations The first item was the semi-annual report from the North Brevard Library District Board. Chairman Linda Hass was unable to attend the meeting. Vice-Mayor Rainey moved to accept the written report as submitted. Member Eigenmann seconded the motion. The motion carried unanimously.

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Chairman Lowell Gray presented the final report of the Riverfront Acquisition Referendum Committee. Chairman Gray outlined the criteria for the selection of the recommended 16 properties in three windows for acquisition, rationale, estimated property values, recommended ballot language, a millage rate (0.3638), length of time for imposing an ad valorem tax (20 years), and the establishment of a Negotiation and Purchase Team to oversee acquisition pending approval of the electors.

Member Eigenmann moved to accept the report and direct staff to report back with recommendations at a future meeting for additional discussion. Member Rainey seconded the motion and it carried unanimously.

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The presentation by R. W. Beck on the final Solid Waste Business Plan was deferred to the July 13, 2004 meeting.

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Consent Agenda Vice-Mayor Ward moved to approve the following items of consent as recommended.

Mayor Swank expressed concern of the approval of final plat and deed restrictions for Bent Oak at Meadowridge Subdivision and accepting the deed for additional road right-of-way on Sisson Road. He requested clarification on the following items: (1) lines installed would be dry lines and the reuse lines would be hooked up as extended on Sisson Road; (2) gray water was reuse; and (3) the other properties in the area of critical concern would not have the use of wells as reuse would not be available.

Member Eigenmann commented on Resolution No. 25-2004 encouraging Brevard County Board of County Commission to enact a countywide school impact fee. He felt this item warranted individual discussion by council as it involved the establishment of impact fees. Member Eigenmann moved to address this item under New Business. Vice-Mayor Ward seconded the motion. The motion carried unanimously.

- A. Approve final plat and deed restrictions for Bent Oak at Meadowridge Subdivision and accept deed for additional road right-of-way on Sisson Road. Recommendation: Approve final plat and deed restrictions subject to final legal review and approve the deed for additional road right-of-way on Sisson Road.
- B. Approve final plat and deed restrictions for Fairways Edge at LaCita Subdivision. Recommendation: Approve final plat and deed restrictions as submitted.
- C. Approve Resolution No. 23-2004 to support Statewide Transportation Enhancement Funds for Regional Planning for the St. Johns River corridor. Recommendation: Approve Resolution No. 23-2004 as presented.
- D. Approve interlocal agreement with Brevard County and the cities of Titusville, Melbourne, Cocoa Beach, Cocoa, Palm Bay, Rockledge, West Melbourne, and Cape Canaveral and task order in the amount of \$65,290 for Baskerville-Donovan, Inc. to conduct regional biosolids facility feasibility study. Recommendation: Approve the interlocal agreement as stated and task order in the amount of \$65,290 for Baskerville-Donovan, Inc. to conduct regional biosolids facility feasibility study. Funding Source: Funds were available in the Water Resources Account #402-555-580.6500 (WC 9924).
- E. Approve Resolution No. 24-2004 and approve jurisdictional transfer agreement with Florida Department of Transportation (FDOT) for transferring the city's portion of the A. Max Brewer Causeway to the State Highway System and authorize mayor to execute agreement.

Recommendation: Approve Resolution No. 24-2004 and the jurisdictional transfer agreement with FDOT to transfer the city's portion of the A. Max Brewer Causeway to the State Highway System and authorize the Mayor to execute agreement.

- F. Approve preliminary plat for the Villas at Sawgrass Subdivision, a townhouse subdivision located on Sawgrass Drive in LaCita Planned Unit Development. Recommendation: Approve preliminary plat for Villas at Sawgrass Subdivision.

Member Eigenmann seconded the motion.

Vice-Mayor Ward moved to amend the motion to state consent items A. through F were being approved as consent item G was moved to new business. Member Eigenmann seconded held and the roll call was:

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

The motion carried.

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Petitions and Requests from the Public Present Maureen Rupe reported on past comments of citizens that concerned Brevard County Charter Review Commission's action on issues pertaining to Home Rule. She clarified her actions that supported Home Rule.

Cliff Burch of the United States Parachutist Association and Skydive Space Center was concerned for the safety of parachutists and future parachuting activities at Dunn Airpark if three proposed AWOS towers were constructed on the main drop zone as planned.

Michael McKinley and Snorre Kofod with the Skydive Space Center also opposed the installation of the three weather towers at Dunn Airpark.

City Manager Harmer reported on information obtained from the Executive Director of the Titusville-Cocoa (TICO) Airport Authority regarding the installation of the towers. There was a notice to proceed and the airport was moving forward with the installation. An airport representative was working with the tenant to find alternative drop zones.

Member Rainey moved to contact the Airport Authority and direct city manager to investigate the plans for the installation of the towers at Dunn Airpark. The motion carried unanimously.

Michael Myjack read from an article in the Tampa Tribune newspaper that highlighted growth impacts and tax revenue short-falls experienced in Hillsborough County.

Veronica Clifford commented on council's approval at the June 8, 2004 meeting of the rezoning request for Sculptor Charter School at 1301 Armstrong Drive. She felt the matter should be readdressed.

Susan Kosi, President of the Space Coast Development Commission, gave a report on the community forum on growth in north Brevard conducted May 12, 2004.

Laurilee Thompsen, with the Space Coast Nature Alliance, commented on the community forum on growth in north Brevard conducted May 12, 2004.

Dean Petit commented on the report presented by the Riverfront Acquisition Referendum Committee and suggested possible grant opportunities to create bike trails along the Indian River.

William Hall supported the appointment of Patricia Patch to the Titusville-Cocoa Airport Authority.

Joel Taft, a member of TICO Airport Authority, commented on the efforts of the Airport Authority concerning the construction of AWOS towers at Dunn Airpark and tree clearing in the vicinity of the Enchanted Forest.

Tiffany Johnson thanked the mayor, city manager and city attorney for their presence at the past meeting of the Brevard County Charter Review Commission. She commented on a future meeting and its scheduled discussions on annexation of streets and roads as well as historical preservation.

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The meeting recessed at 7:53 p.m. and reconvened at 8:05 p.m.

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Ordinances-First Reading Attorney read ORDINANCE NO. 42-2004 OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING ARTICLE IV TO THE CITY CODE TO CHANGE THE REGULATIONS OF NOISE TO ALLOW FOR ENTERTAINMENT NOISE AND OTHER NOISES THAT ARE ASSOCIATED WITH THE DOWNTOWN AND THE MIX OF LAND USES LOCATED IN THE COMMUNITY REDEVELOPMENT AREA AND PROVIDING FOR AN EFFECTIVE DATE and

ORDINANCE NO. 43-2004 OF THE CITY OF TITUSVILLE, FLORIDA, ADDING SECTION 59-669 TO THE LAND DEVELOPMENT REGULATIONS TO REQUIRE MIXED USE DEVELOPMENT IN LARGE RESIDENTIAL DEVELOPMENT PROJECTS IN THE CENTRAL BUSINESS DISTRICT ZONING CLASSIFICATION AND PROVIDING FOR AN EFFECTIVE DATE for the first time by title only. The second reading and public hearing was scheduled for July 13, 2004.

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Mayor Swank announced that under Ordinances-Second Reading, Ordinance No. 39-2004 rezoning property at 305 Olmstead Drive from Single Family High Density Residential (R-1c) to

Multi-Family Medium Density Residential (R-2) zoning classification was withdrawn. City Manager Harmer reported the city received a written request to withdraw the item.

The applicant for Ordinance No. 40-2004 annexing property south of Fox Lake Road and Ordinance No. 41-2004 amending the Future Land Use Element of the Comprehensive Plan requested the items be tabled until the July 13, 2004 meeting. Member Eigenmann moved to table said items to the July 13, 2004 meeting. Vice-Mayor Ward seconded the motion. The motion carried unanimously.

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Ordinances-Second Reading, Public Hearings and Related Action – City Attorney read ORDINANCE NO. 38-2004 OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 35-61(e) BY DELETING ANY CREDIT FOR THE USE OF PERVIOUS PAVEMENT WITHIN THE AREA OF CRITICAL CONCERN; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff commented on the provisions providing for additional impervious coverage in the area of critical concern by using pervious pavement. The experience with the materials was that they were very maintenance intensive, do not achieve the desired recharge in the area of critical concern, and was generally not a suitable alternative to traditional paving materials. In order to ensure the intent of the area of critical concern was met, it was recommended to amend Section 35-61 (e) by deleting the provisions that provided for additional impervious coverage through the use of pervious pavement. At its June 16, 2004 meeting, the Planning and Zoning Commission made a motion that was approved to retain the original ordinance with the request for further clarification for pervious pavement.

Discussion ensued regarding the removal of the credit for the pervious concrete that was being allowed. Other concerns included implementation of a maintenance policy, responsibility of maintenance cost, tracking mechanism, and the establishment of a policy that would provide for permitting and inspections, etc.

Council members discussed the elimination of the automatic credit and the receipt of credit through an administrative review. City Manager Harmer reported that the proposed ordinance revision eliminated the automatic credit but provided for site-by-site review, decision-making, and an appeal process.

Mayor Swank opened the public hearing.

Michael Myjak spoke in favor of Ordinance No.38-2004.

John Honeycutt was opposed to the approval of Ordinance No. 38-2004.

Marty Wanielista, with the University of Central Florida, opposed the approval of Ordinance No. 38-2004. He provided information on pervious pavement and supported a credit of 80%.

Vice-Mayor Ward inquired into the existence of guidelines on particular products. Mr. Wanielista volunteered to provide Stormwater Management with information.

Alex Bell was a pervious concrete civil engineer and opposed Ordinance No. 38-2004. He stated there was supporting documents and studies that he would gladly provide to the city.

Matt Offenberg, an engineer with Rinker Materials, opposed eliminating the automatic credit. He addressed maintenance, low rates of failure, etc. He volunteered to share information on training, contractors, maintenance schedules, etc.

Diep T. Tu, with Florida Concrete & Products Association, Inc., provided information on the products available and stated the association had a manual on pervious concrete. He was available and willing to provide assistance to the city.

Dean Petit, a member of the Titusville Environmental Commission, favored the elimination of the automatic credit. He stated there were many unknowns and encouraged council to take a strong look at this issue.

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

Vice-Mayor Ward stated that he heard of a lot of testimony, facts, and fears. It appeared there was an enormous amount of data and expert witnesses willing to share information.

Vice-Mayor Ward moved to table this item in order to allow time for staff to meet and review the various data/information available. Member Eigenmann seconded the motion. The motion carried 3-to-1 with Member Rainey voting no.

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Vice-Mayor Ward stated he was at the Planning and Zoning Commission meeting where several public hearing items were discussed and it would not influence his decision. Also, Mayor Swank stated he received an email from Roger Molitor and forwarded it to staff. The email would not influence his decision. Member Eigenmann reported he received the same email from Mr. Molitor and it would not influence his decision.

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Council considered Conditional Use Permit No. 6-2004, to allow manufacturing, assembly and fabrication of products within a completely enclosed structure in an M-1 zoning district located at 875 Buffalo Road as requested by George David, owner. City Manager Harmer reported that the applicant would be submitting a letter for withdrawal of his application.

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

Member Eigenmann asked staff to verify whether or not the facility on Buffalo Road was occupied.

Vice-Mayor Ward moved to deny Conditional Use Permit No. 6-2004. Member Eigenmann seconded the motion and the roll call was:

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

The motion carried.

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The next item of business was consideration of Conditional Use Permit No. 7-2004 to allow expansion of an existing church located at 2073 Garden Street submitted by Good Shepherd Lutheran Church. The applicant had developed a long-range plan for the expansion of the Church to include Phase 1, new fellowship hall (9,000 square feet), new Sunday school/preschool (10,000 square feet), and a new maintenance building (480 square feet); Phase 2, a new sanctuary (8,275 square feet), new administration building (3,600 square feet), and demolition of existing sanctuary and fellowship hall; and Phase 3, new elementary school (12,100 square feet), and new gymnasium (9,000 square feet). Staff distributed a conceptual plan for Phase 1. At its June 16, 2004 meeting, the Planning and Zoning Commission recommended approval.

Mayor Swank opened the public hearing.

Rick Gilbert, Chairman of the Church's Building Committee, supported approval of Conditional Use Permit No. 7-2004.

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

Member Eigenmann moved to approve Conditional Use Permit No. 7-2004. Member Rainey seconded the motion and the roll call was:

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

The motion carried.

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Council considered Resolution No. 26-2004 to vacate the north ten (10) foot portion of the thirty (30) foot public drainage and utility easement lying on the south property line of Lot 1, Hickory Forest Subdivision as recorded in Official Records Book 38, page 70 lying in Section 20, Township 22 South, Range 35 East (3055 Sandalwood Lane) by owner Donna Heribacka.

Staff reported the request was sent to public and private utility providers and the city received no objections to the request to vacate. At its June 16, 2004 meeting, the Planning and Zoning Commission recommended approval.

Mayor Swank opened the public hearing.

Donna Heribacka spoke in support of the request to vacate. She had originally requested a vacation of a twenty (20) foot easement and requested council's consideration for a vacation of a twelve (12) foot easement.

Member Eigenmann requested clarification on the history of the properties in the Sandalwood Lane area. Staff provided historical information regarding the drainage easements.

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

Vice-Mayor Ward moved to adopt Resolution No. 26-2004 as submitted. Member Rainey seconded the motion and the roll call was:

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

The motion carried.

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Next was Resolution No. 27-2004 to proceed and establish a connection fee for benefited properties and authorize obtaining bids and approval of bid for construction of reuse main for the installation of reuse line on Sisson Road between S. R. 50 and S. R. 405. The adopted revised Resolution No. 13-2004 declared a necessity for the installation of an 8-inch reclaimed water main on Sisson Road. The City Clerk notified all affected property owners and advertised this public hearing per the *Code of Ordinances*. The design plans were completed and the estimated cost of the improvements was \$500,000. This reuse line would serve the developing residential and existing multi-family properties on Sisson Road, which were within the area of critical concern. Resolution No. 13-2004 provided in packet: (1) estimated connection fee of \$500 per equivalent residential connection (ERU); (2) the fee anticipated the City funding one-third of the total costs of the project; (3) one single-family connection would equal one ERU per unit, (4) multi-family, including townhouse and condominiums, would equal one-half ERU per unit; and (5) commercial, including apartments) would equal four ERUs per acre.

At its May 25, 2004 meeting, City Council approved an agreement with the developer, Sterling Forest, LLC, to competitively bid for and fund the construction of the reuse line. The agreement provided for the city to pay back the developer over a period not to exceed five years. The funds from the connection fees would be utilized to offset the repayment of the construction costs. After construction was complete, a resolution of assessment would impose the connection fees for all benefited properties.

Mayor Swank opened the public hearing.

Jerry Solomon, with Solomon Construction, Inc., distributed information regarding the reclaimed water rate fee study. He was opposed to the cost for multi-family units. He felt only those who used the reuse should pay the connection fee.

Joseph Pallay, President of Arbor Ridge Homeowners Association, opposed the resolution. He had issues with the cover letter and stated that only Arbor Ridge and Pine Tree Gardens properties were indicated. The letter did not reference San Mateo or other residential properties. Arbor Ridge had its own well system for lawn irrigation, it was professionally maintained, and was not designed for hook up to an 8 inch main line. He requested clarification for estimating cost per unit and for common areas.

Council discussed the requirements for hook-up for reuse water, the time schedule, the cost factor, the difficulty of hook-up with existing developments, right-of -ways, etc.

Staff noted that the current code required hook-up of multi-family units and that the cost would be evaluated on a case-by-case basis.

Mary Lou Demmond, President of Titusville Garden Club, stated residents were not advised until last week. She felt there had not been sufficient time for discussion and input.

Kathleen Cavalear, President of Pine Tree Gardens Homeowners Association, received a cover letter but did not receive the map. She expressed concern with the planted and maintained tree line and wanted assurance that the tree line would not be destroyed.

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

Member Eigenmann stated that reuse was a new concept and that he was reluctant to approve until review of the impacts as the reuse system was extended. The city was setting a precedent and he requested review by staff on hook-ups, grandfathering, and how other communities extended reuse.

City Manager Harmer provided historical information regarding the installation of reuse lines. There were a number of developments on Sisson Road and the city was required to install the reuse lines per code. An alternative would be to install wells on the property. The cost for multi-family units would be addressed prior to the assessment process. The project timeline was three-to-four months.

Vice-Mayor Ward expressed concern with the actual costs, the engineering plans, the bids, and city standards with existing multi-family lines, etc.

Member Rainey opposed hooking up existing multi-family units and questioned Arbor Ridge hook-up as it had an existing well system.

Mayor Swank commented that the major goal was to place an inter-connect between S. R. 405 and S. R. 50 and that this was an identified high growth area in the area of critical concern. There was a four month timeline to address existing multi-family units.

Member Eigenmann moved to adopt Resolution No. 27-2004 with the modified section. Mayor Swank seconded the motion and the roll call was:

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

The motion carried.

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Member Eigenmann moved to direct staff to review the current Ordinance regarding the existing multi-family units and to develop a policy. Member Rainey seconded the motion.

Member Rainey inquired into multi-family housing on Sisson Road that were located in Brevard County. Staff reported that the properties in the county were duplexes and considered single-family units.

Member Eigenmann moved to amend the motion to include suspension of any further connection until review of the ordinance. Mayor Swank agreed to the amendment. The amended motion carried unanimously. Mayor Swank clarified that it was forced connection of existing multi-family and residential neighborhoods. The motion carried unanimously.

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Vice-Mayor Ward moved to extend the meeting for another 30 minutes. Member Rainey seconded the motion. The motion carried unanimously.

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The meeting recessed at 10:30 p.m. and reconvened at 10:40 p.m.

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Old Business Revocation of Conditional Use Permit (CUP) No 11-2004. City Manager Harmer stated that at its April 27, 2004 meeting city council denied Conditional Use No. 3-2004 and directed staff to initiate proceedings to revoke the underlying Conditional Use Permit No. 11-2003. This action was based upon the applicant, O'Leary Enterprises, Inc., not complying with the conditions in CUP No. 11-2003. At its June 16, 2004 meeting, the Planning and Zoning Commission recommended disallowing the revocation. City Manager Harmer reported that at the last inspection of the property, it was in full compliance with the original conditions. It was recommended that city council withdraw the request to revoke CUP No. 11-2003.

Mayor Swank opened the public hearing. Gregory O’Leary spoke in support of withdrawing the revocation of CUP No. 11-2003 and stated that he was in compliance.

Patrick Thomas supported the withdrawal request.

Susan Canada supported the withdrawal of the revocation of CUP No. 11-2003.

Chris Anderson felt that the area was not appropriate for a recycling business.

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

Member Eigenmann supported the revocation due to code enforcement issues. The property owner worked with code enforcement and met the requirements.

Attorney Severs advised that procedurally this issue was not advertised for a public hearing; thus, council was not able to revoke the Conditional Use Permit. The issue can be withdrawn, or to direct staff to proceed with the process and conduct a public hearing.

Vice-Mayor Ward moved to withdraw the revocation of Conditional Use Permit No. 11-2003. Member Eigenmann seconded the motion. The motion carried unanimously.

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New Business City Manager Harmer reported that the city received a courtesy notice from Brevard County of a proposed Comprehensive Plan Amendment for the Riveredge Drive area that would change the land use on that roadway to residential low density (two units per acre). Previously county staff presented an option of limiting density to six (6) units per acre. Subsequently, Council passed the local road provision to the Shoreline Mixed Use (SMU) zoning to reduce density on local roads in anticipation of this area annexing to the future. This portion of the unincorporated area would be addressed in the Joint Planning Agreement (JPA) as an enclave of less than ten (10) acres developed. It was recommended that the city notify Brevard County not to move forward with transmittal on this amendment until further joint discussion and planning can occur between the city and county.

Vice-Mayor Ward moved to direct the City Manager to notify Brevard County and request they not proceed with transmittal of the Comprehensive Plan amendment on Riveredge Drive until further discussion with the City. Member Rainey seconded the motion. The motion carried unanimously.

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Vice-Mayor Ward moved to extend the meeting until the completion of the agenda items. Member Rainey seconded the motion. The motion carried unanimously.

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Member Eigenmann stated he felt the approval of Resolution No. 25-2004 encouraging Brevard County Commission to enact a county-wide school impact fee needed individual discussion. He commented on the overcrowding in the schools and fees collected staying in the area.

Vice-Mayor Ward commented that Brevard County did the study and it was still in a determination stage. The resolution supported a concept but not any amount of fees. He would like to see the funds stay in the north Brevard area and supported the resolution.

Member Rainey supported the Resolution.

Vice-Mayor Ward moved to adopt Resolution No. 25-2004. Member Eigenmann seconded the motion and the roll call was:

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

The motion carried.

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Petitions and Requests from the Public Present Laura Ward stated the City's Comprehensive Plan contained inconsistencies related to local streets and that it keyed on commercial uses. She further felt that the Shoreline Mixed Use ordinance was a vision for the neighborhood that council could not reach a consensus on.

Rodney Honeycutt, with Honeycutt and Associates, opposed the proposed Brevard County Comprehensive Plan amendment related to Riveredge Drive and suggested a community meeting be held to determine the desire of the residents.

Member Rainey moved to authorize the city manager to contact Brevard county representatives to discuss the lawsuit and the Comprehensive Plan amendment. Vice-Mayor Ward seconded the motion.

City Manager Harmer requested approval of Attorney Severs' involvement. Member Rainey amended his motion to include the involvement of the city attorney. Vice-Mayor Ward second held and the motion carried unanimously.

Loys Ward commented on the Brevard County Commission's action at its May 25, 2004 meeting that concerned Riveredge Drive. He then commented on density in the Dairy Road and Singleton Avenue area.

Chris Anderson noticed two new "No Skating" signs in the vicinity of city hall and felt they should be removed. City Manager responded

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Board and Commissions Titusville-Cocoa Airport Authority-The term of Member Joel Taft would expire on July 7, 2004. Mr. Taft expressed an interest in re-appointment for a period of three years per Florida House Bill No. 1217. Other applicants included James Garrison and Patricia Patch. Vice-Mayor Ward moved to appoint Patricia Patch to a three-year term on the Titusville-Cocoa Airport authority. Member Eigenmann seconded the motion. The motion carried 3-to-1 with Mayor Swank voting no.

Mayor Swank thanked Mr. Taft for his many years of service on the Titusville-Cocoa Airport Authority.

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Mayor and Council Reports Mayor Swank provided a written report on his activities since the last meeting.

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

City Manager Harmer had two action items on his report.

Brevard County's Housing and Human Services Department requested city council's approval to retain and administer the Fiscal Year 2003/04 and Fiscal Year 2004/05 American Dream Downpayment Initiative (ADDI) allocations with the understanding that the county will distribute the funds to serve applicants from Titusville as equitably as possible. Vice-Mayor Ward moved to approve. Member Rainey seconded the motion and it carried unanimously.

City Manager Harmer updated council regarding the Joint Planning Agreement with Brevard County. The county staff indicated that there were some minor modifications they would recommend to the County Commission. The city requested a copy of those modifications. In reference to the transfer of roads and drainage facilities, the city reviewed the agreements from cities of Melbourne and Rockledge. Each of those agreements contained a provision that would transfer local roads when they reach 50 or 51 percent unless otherwise directed by council. Staff recommended the draft of similar language for local roads. The city would provide a list of roads excluding certain roads that were collector or arterial-type roads that also service the incorporated area to be excluded from the automatic transfer. The goal was to have council supported language prepared before final review by the County Commission. Vice-Mayor Ward moved to support the draft language with the transfer of local roads at 51 percent. Member Rainey seconded the motion. The motion carried unanimously.

Letters of appreciation were received for the following employees: Fire and Emergency Services- Reggie Belle, Jerry Brown, Scott Einkopf, John McIntyre, Cecil Cornish, Chris Colon, Tim Dixon, Alex Kracun, Chuck Bogle, Dave Again, Rod Donhoff, Phil Jones, Mike Woodward, Rodney LeAndro, Dave Cody, Randy Moore, Kevin Woodward, Frank Canada, Chris Hitt, Rodney Perry, Brian Litterilla, Ross Griffith, Dough Chamberlain, Brian Strong, Bridget Kozielski, and Diane Parker. Police Department-Aaron Ziegler, Rich Tirado, Paul Smith, Adam Treinen, Lincoln Strom, Jon Dasno, John Lau, David Butler, Alexia Ferran, Tracey Clover, Z. Rimoczi, and Lavada Jenkins.

City Manager Harmer reported on his attendance at a public meeting on smart growth principles sponsored by Brevard Tomorrow.

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City Attorney's Report Attorney Severs provided the following scrivener's errors:

Ordinance No. 35-2004 that amended the City's Comprehensive Plan. Vice-Mayor Ward moved to authorize the correction as submitted in memorandum. Member Rainey seconded the motion. The motion carried unanimously.

The minutes of the May 11, 2004 City Council meeting (page 11), Ordinance No. 31-2004, that pertained to the annexation of property. Member Rainey moved to authorize the correction as submitted in memorandum. Vice-Mayor Ward seconded the motion. The motion carried unanimously.

Ordinances Nos. 30, 31, and 32, regarding annexation of property in the Fox Lake Road/Carpenter Road and Parrish Road/Singleton Avenue areas. Member Rainey moved to authorize the correction as submitted in memorandum. Vice-Mayor Ward seconded the motion. The motion carried unanimously.

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The meeting adjourned at 11:50 p.m.

Ronald G. Swank, Mayor

ATTEST:

Wanda Wells, Interim City Clerk