



City of DeLand  
City Clerk's Office

**SHORT MINUTES FOR A REGULAR MEETING OF  
THE CITY COMMISSION OF THE CITY OF DELAND  
HELD ON MONDAY, AUGUST 21, 2017 AT 7:00 PM  
CITY HALL, COMMISSION CHAMBERS  
120 SOUTH FLORIDA AVENUE., DELAND, FL, 32720**

**CALL TO ORDER**

**INVOCATION** Fr. Tom Connery, St. Peter Catholic Church.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**1. Roll Call**

**CONSENT AGENDA**

**1. Consideration re Approval of Sale and Consumption of Alcoholic Beverages on City Property, "Stetson University Football Season."**

*Stetson University is requesting that the following rights of way and parking lots be authorized for the sale/consumption of alcoholic beverages:*

- 1. Little league outer fence area - along Euclid Ave. between Alabama and Amelia (LOT 1)*
- 2. East side of the stadium - along Amelia Avenue (LOT 2)*
- 3. West side of stadium - along Alabama Avenue (LOT 3)*
- 4. South side of stadium - along Hubbard between Alabama and Amelia (LOT 4)*
- 5. South side of Melching Field - paved lot next to Fan Central Station (LOT 5)*
- 6. South side of Melching Field - along Hubbard between Alabama and entry point on Hubbard, across street from batting cages (LOT 5A)*
- 7. North side of Melching Field - lot that is just outside stadium along Euclid (LOT 7)*
- 8. West side of Melching Field - lot that runs along Woodland with entry point on Hubbard (LOT 6)*

**ACTION:** Approved      **MOTION:** Matusick/Davis      **VOTE:** [4 to 1]

2. Consideration re Renewal of Contracts with Florida Department of Corrections, Contracts #W1107 and #W1108.

*It is recommended that the City Commission approve the contract renewals with the Florida Department of Corrections to provide the City with two work squads of inmates and two supervisory correctional officers for an annual cost of \$114,994; and authorize the Mayor to execute the attached documents.*

**ACTION:** Approved      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

3. Resolution Approving Supplemental Joint Participation Agreement No. 2, General Aviation Complex FM No. 431545-1-94-01.

*Staff recommends that the City Commission approve Supplemental Joint Participation Agreement No. 2, FM No. 431545-1-94-01, Contract No. G0156, and also approve the accompanying resolution authorizing Mayor Apgar to execute the agreement.*

**ACTION:** Approved      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

4. Request to Approve the Use of State Trust Fund Monies to Replenish D.A.R.E. Program Materials; and Resolution Amending the Budget.

*It is recommended that the City Commission approve the Resolution allowing the use of State Trust Funds for the above stated purpose.*

**ACTION:** Approved      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

## **PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT**

### **OLD BUSINESS**

1. Second Reading of Ordinance No. 2017-19 Amending Chapter 30 of the Code of Ordinances, "Utilities," re Water and Sewer Rates.

*Staff recommends that the City Commission adopt the Ordinance at second reading amending water and sewer rates effective October 1, 2017.*

**ACTION:** Adopted      **MOTION:** Matusick/Cloudman      **VOTE:** [Unanimous]

2. Second Reading of Ordinance No. 2017-20 Amending Chapter 30 of the Code of Ordinances, "Utilities," re Vacant Meters

*Staff recommends that the City Commission adopt the Ordinance at second reading establishing a vacant meter policy to go into effect on October 1, 2017.*

**ACTION:** Adopted      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

3. Second Reading of Ordinance No. 2017-21 Amending Chapter 30 of the Code of Ordinances, "Utilities," re Miscellaneous Items.

*Staff recommends that the City Commission adopt the Ordinance at second reading amending the miscellaneous utility items.*

**ACTION:** Adopted      **MOTION:** Cloudman/Davis      **VOTE:** [Unanimous]

4. Second Reading of Ordinance No. 2017-22 Amending Chapter 33 of the Code of Ordinances re FEMA Flood Plain Management.

*It is recommended that the City Commission adopt the Ordinance on second reading.*

**ACTION:** Adopted      **MOTION:** Cloudman/Davis      **VOTE:** [Unanimous]

5. Second Reading of Ordinance No. 2017-10 to Amend the Land Development Regulations to Allow for a Student Housing Project.[2nd Rdg. Cont'd from 5-15-17].

*The following changes are being proposed to Article I-Section 33-12-Definitions; adding definitions; Article IV-Section 33-32-Planned Development District; providing separation requirement; and Article VIII- Section 33-91 - Off street parking and loading; establishing required number of parking spaces for student housing.*

**ACTION:** Adopted w/ Change      **MOTION:** Apgar/Matusick      **VOTE:** [3 to 2]

**NEW BUSINESS**

1. First Reading of Ordinance Annexing Approximately 4.6 Acres Located on the North Side of East Plymouth Avenue, 300 Feet East of North Garfield Avenue.

*The applicant, Mark Watts agent for owner, Debra Stoltze, is requesting that approximately 4.6 acres be annexed into the City.*

**ACTION:** Approved      **MOTION:** Cloudman/Matusick      **VOTE:** [Unanimous]

2. First Reading of Ordinance Changing the Land Use of Approximately 4.6 Acres Located on the North Side of East Plymouth Avenue, 300 Feet East of North Garfield Avenue.

*The applicant, Mark Watts, of Cobb Cole for owner Debra C. Stoltze has applied for a change of land use from Volusia County Urban Low Intensity to Low Density Residential. The property is located on the north side of Plymouth Avenue, approximately 300 feet east of N. Garfield Ave.*

**ACTION:** Approved      **MOTION:** Matusick/Cloudman      **VOTE:** [Unanimous]

3. First Reading of Ordinance Changing the Zoning of Approximately 4.6 Acres Located on the North Side of East Plymouth Avenue, 300 Feet East of North Garfield Avenue.

*The applicant, Mark Watts, of Cobb Cole for owner Debra C. Stoltze has applied for a change of zoning from Volusia County R-3, Urban Single Family to R-1A, Single Family. The lot is approximately 4.6 acre in size.*

**ACTION:** Approved      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

4. First Reading of Ordinance Amending the LDR's to Allow Bed and Breakfast Homestay as a Special Exception.

*It is recommended that the City Commission approve the Ordinance on First Reading requesting to make changes to the Land Development Regulations with regards to where a Bed and Breakfast Homestay could be located within the city limits.*

**ACTION:** Approved      **MOTION:** Cloudman/Matusick      **VOTE:** [Unanimous]

5. First Reading of Ordinance Amending the LDR's to Ban Medical Marijuana Treatment Center Dispensaries.

*It is recommended that the City Commission approve the Ordinance on First Reading proposing the change to the Land Development Regulations that will ban Medical Marijuana Treatment Facility dispensaries.*

**ACTION:** Approved      **MOTION:** Matusick/Cloudman      **VOTE:** [Unanimous]

6. Resolution Approving Removal of One Historic Tree Located next to the Stetson University Pi Beta Phi Building at 547 Bert Fish Drive.

*The applicant, Stetson University, has requested that one historic tree located at the Pi Beta Phi Building located at 547 Bert Fish Drive be allowed to be removed.*

**ACTION:** Adopted      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

7. Consideration re Extension to Agreement Between the City and Developer to Assist in the Restoration of the Putnam Hotel.

*The proposed developer of the Hotel Putnam has requested the City become a financial investment partner in the project in the amount of \$500,000.*

**ACTION:** Approved      **MOTION:** Matusick/Davis      **VOTE:** [Unanimous]

**CITY COMMISSION REPORTS**

1. Report re Elected Officials Round Table.
2. Report re River-to-Sea TPO.
3. Report re River of Lakes Heritage Corridor.

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**CITY CLERK REPORT**

**CITY COMMISSION**

**ADJOURNMENT**