



CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
MAY 6, 2024 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

MINUTES

CALL TO ORDER

INVOCATION-Pastor T.L. Jackson, DeLand Community Church

ROLL CALL

Present: Charles Paiva, Commissioner; Jessica Davis, Commissioner; Dan Reed, Commissioner; Kevin Reid, Commissioner; Christopher M. Cloudman, Mayor-Commissioner

Absent:

ALSO PRESENT: Michael Grebosz, Assistant City Manager; Darren J. Elkind, City Attorney; Julie A. Hennessy, City Clerk-Auditor; Jason Umberger, Police Chief; Todd Allen, Fire Chief; Dan Stauffer, Finance Director; Jim Ailes, Deputy Public Service/Utilities Director; Ray Bahrami, City Engineer; Rick Hall, Parks and Recreation Director; Ray Underwood, Public Works Director; Carol Kuhn, Planning Director; Mark Hayward, Human Resources Director; Alberto Cirelli, Interim Information Technology Director; Chris Graham, Community Information Manager; Scot Zender, Deputy Utilities Director; Emily Kunkel, Planner II/HPB Coordinator; Debi Glick, Land Development Manager; members of the public and press.

PRESENTATIONS

1. City of DeLand Super Star Students of the Month.

RESULT: PRESENTED

2. Proclamation, Stroke Awareness Month.

RESULT: PRESENTED

3. Proclamation, Historic Preservation Month.

RESULT: PRESENTED

4. Proclamation, National Police Week.

RESULT: PRESENTED

5. Certificate of Recognition to James D. Umberger.

RESULT: PRESENTED

6. Introduction of Three (3) New Police Officers-Brian Herrera, Andrew Peterson, Eroin Ugarte.

RESULT:	PRESENTED
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7. Badge Pinning Ceremony for Justin Desy to Deputy Fire Chief.

RESULT:	PRESENTED
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8. Employee Years of Service Award.

RESULT:	PRESENTED
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CONSENT AGENDA

RESULT:	APPROVED, ITEMS 1-6, 8
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MOVER:	Charles Paiva, Commissioner
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SECONDER:	Dan Reed, Commissioner
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AYES:	Charles Paiva, Commissioner; Jessica Davis, Commissioner; Dan Reed, Commissioner; Kevin Reid, Commissioner; Christopher M. Cloudman, Mayor-Commissioner
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NAYS:	None
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1. Consideration re New Ground Lease Agreement for the Sport Aviation Village, Shalom Confessor De Aguiar Do Amaral.
2. Approval of Minutes.
3. Resolution Approving Contract Time Extension for FDOT Grant 438416-1-94-01 (Amendment #6) - T-Hangar Development.

RESOLUTION NO. 2024 - 41

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AUTHORIZING THE EXECUTION OF AN AMENDMENT FOR EXTENSION OF PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FINANCIAL MANAGEMENT NO. 438416-1; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Resolution Approving FDOT Public Transportation Grant Award 454591-1-94-01 For South-Central Apron Rehabilitation Project Design.

RESOLUTION NO. 2024 - 42

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AUTHORIZING THE EXECUTION OF A PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF

TRANSPORTATION, FINANCIAL MANAGEMENT NO. 454591-1-94-01 AND PROVIDING FOR AN EFFECTIVE DATE.

5. Consideration re Task Order Assignment, Reclaim Water Main Extension Phase 6 Design Services.

6. Consideration re Task Order Assignment, Lead and Copper Rule Revisions Program Assistance Services.

7. Consideration re Additional Funding for Tra Thomas Park.

RESULT:	APPROVED-THIS ITEM WAS PULLED FROM CONSENT
MOVER:	Jessica Davis, Commissioner
SECONDER:	Charles Paiva, Commissioner
AYES:	Charles Paiva, Commissioner; Jessica Davis, Commissioner; Dan Reed, Commissioner; Kevin Reid, Commissioner; Christopher M. Cloudman, Mayor-Commissioner
NAYS:	None

8. Resolution Approving Sidewalk Café for Sidecar Market, Located at 100 South Woodland Boulevard.

RESOLUTION NO. 2024 – 43

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, GRANTING A LIMITED LICENSE AGREEMENT FOR A TEMPORARY SIDEWALK CAFÉ TO RITZY REPURPOSED, LLC, FOR ITS BUSINESS, “SIDECAR MARKET AND BAR” LOCATED AT 100 SOUTH WOODLAND BOULEVARD; AND PROVIDING FOR AN EFFECTIVE DATE.

PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

Ginger Johnston-535 N. Clara Avenue re affordable housing.

Steven Sanders-623 Swan Range Road re recording in the police lobby.

Adam Macher- 169 Community Drive re corrupt police.

Joan Carter-122 West Michigan Deland re junk fees on DeLand utility bill.

Thad Jones-522 Anne Street, Deland Housing Authority member gave update re sec. 8 applications.

Phocion-N/A re recording in the police lobby.

Randy Williams-N/A re support of police.

Donna Pepin-416 North Blue Lake Terrace re police week.

OLD BUSINESS

1. Second Reading of Ordinance No. 2024-14, Amending Chapter 33, Related to Parking Standards for Passive Recreation Areas and Freestanding Emergency Rooms.

ORDINANCE NO. 2024 - 14

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING VARIOUS SECTIONS WITHIN THE CODE OF ORDINANCES OF THE CITY OF DELAND/LAND DEVELOPMENT REGULATIONS RELATING TO PARKING REQUIREMENTS; BY AMENDING SECTION 33-12 “DEFINITIONS”; BY AMENDING SECTION 33-17.01 “R-R RURAL RESIDENTIAL”; BY AMENDING SECTION 33-17.02. R-R1— SUBURBAN SINGLE-FAMILY RESIDENTIAL DISTRICT; BY AMENDING SECTION 33-17.03 “R-1AA SINGLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.031 “R-1A SINGLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.04 “R-1B SINGLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.05. “R-1 SINGLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.07 “R-2 TWO-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.08 “R-8 MULTIPLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.09 “R-12—MULTIPLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.10 “R -16 MULTIPLE-FAMILY DWELLING DISTRICT”; BY AMENDING SECTION 33-17.11 “R-M RESIDENTIAL MOBILE HOME DISTRICT”; BY AMENDING SECTION 33-17.12 “E-1 EDUCATIONAL DISTRICT”; BY AMENDING SECTION 33-17.13 “P-1 PROFESSIONAL-RESIDENTIAL DISTRICT”; BY AMENDING SECTION 33-17.14 “BR BUSINESS RETAIL DISTRICT”; BY AMENDING SECTION 33-17.15 “C-1 LIMITED NEIGHBORHOOD COMMERCIAL DISTRICT”; BY AMENDING SECTION 33-17.16 “C-2 GENERAL COMMERCIAL DISTRICT”; BY AMENDING SECTION 33-17.17 “C-2A DOWNTOWN COMMERCIAL DISTRICT”; BY AMENDING SECTION 33-17.18 C-2AC “COMMERCIAL ACTIVITY CORE ZONING CATEGORY”; BY AMENDING SECTION 33-17.19 “C-3—RAIL SPUR COMMERCIAL DISTRICT”; BY AMENDING SECTION 33-17.20 “C-4 WHOLESALE COMMERCIAL DISTRICT”; BY AMENDING SECTION 33-17.21 “M-1— INDUSTRIAL DISTRICT”; BY AMENDING SECTION 33-91.03 “NUMBER AND TYPE OF PARKING SPACES REQUIRED”; AND BY AMENDING SECTION 33-91.06(D) “PAVING”; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

RESULT:	ADOPTED
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

2. First Reading of Ordinance Amending and Restating the Summit Place Planned Development

Agreement. Cont'd From 04-15-24 Mtg.

RESULT:	APPROVED W/ CHANGE
MOVER:	Charles Paiva, Commissioner
SECONDER:	Kevin Reid, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

3. First Reading of Ordinance Amending and Restating the Gateway East Planned Development Agreement. Cont'd From 04-15-24 Mtg.

RESULT:	APPROVED W/ CHANGE
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

NEW BUSINESS

1. First Reading of Ordinances Amending City of DeLand Charter.

RESULT:	APPROVED W/ CHANGE ORD-2024-15
MOVER:	Charles Paiva, Commissioner
SECONDER:	Jessica Davis, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-16
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-17
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-18
MOVER:	Charles Paiva, Commissioner
SECONDER:	Jessica Davis, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-19
MOVER:	Charles Paiva, Commissioner

SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-20
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-21
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-22
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-23
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner

	Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

RESULT:	APPROVED ORD-2024-24
MOVER:	Charles Paiva, Commissioner
SECONDER:	Dan Reed, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

2. Resolution Calling for General Election and Run-off Election (if Necessary).

RESOLUTION NO. 2024 - 44

A RESOLUTION OF THE CITY OF DELAND, FLORIDA CALLING FOR A GENERAL ELECTION TO BE HELD AUGUST 20, 2024 FOR THE PURPOSE OF ELECTING CITY COMMISSIONERS TO SEATS 2 AND 4; AND CALLING FOR A RUN-OFF ELECTION TO BE HELD NOVEMBER 8, 2022 (IF NECESSARY); SETTING FORTH THE DATES FOR QUALIFYING; AUTHORIZING APPOINTMENT OF THE CLERKS, INSPECTORS AND DEPUTIES; DESIGNATING POLLING PLACES FOR THE VOTERS; APPOINTING LISA LEWIS AS SUPERVISOR OF ELECTIONS AND CUSTODIAN OF THE VOTING MACHINES; DESIGNATING THE CITY CLERK AS ELECTION OFFICIAL; PROVIDING FOR THE DATES AND TIMES OF OPENING THE POLLS AND FOR EARLY VOTING; DESIGNATING THE VOLUSIA COUNTY CANVASSING BOARD AS THE CERTIFYING AUTHORITY FOR THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

RESULT:	ADOPTED
MOVER:	Charles Paiva, Commissioner
SECONDER:	Jessica Davis, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

3. Resolution Calling for Tax Abatement Referendum Election.

RESOLUTION NO. 2024 - 45

A RESOLUTION OF THE CITY OF DELAND, FLORIDA CALLING FOR A TAX ABATEMENT REFERENDUM ELECTION TO BE HELD AUGUST 20, 2024, FOR THE PURPOSE OF CONSIDERING ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS FOR QUALIFYING

NEW AND EXPANDING BUSINESSES; SETTING FORTH THE DATES FOR QUALIFYING; AUTHORIZING APPOINTMENT OF THE CLERKS, INSPECTORS AND DEPUTIES FOR THE REFERENDUM ELECTION; DESIGNATING POLLING PLACES FOR THE VOTERS; APPOINTING LISA LEWIS AS SUPERVISOR OF ELECTIONS AND CUSTODIAN OF THE VOTING MACHINES; DESIGNATING THE CITY CLERK AS ELECTION OFFICIAL; PROVIDING FOR THE DATES AND TIMES OF OPENING THE POLLS AND EARLY VOTING; DESIGNATING THE VOLUSIA COUNTY CANVASSING BOARD AS THE CERTIFYING AUTHORITY FOR THE ELECTION; PROVIDING FOR APPROVAL BY THE VOTERS AT REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

RESULT:	ADOPTED
MOVER:	Charles Paiva, Commissioner
SECONDER:	Jessica Davis, Commissioner
VOTE:	Yes-Charles Paiva, Commissioner Yes-Jessica Davis, Commissioner Yes-Dan Reed, Commissioner Yes-Kevin Reid, Commissioner Yes-Christopher M. Cloudman-Mayor-Commissioner
NAYS:	None

4. Consideration re Concept Plan Review for an 84-Unit, Affordable, Multi-Family Apartment Development Located at 225 West New York Avenue (Formerly Hotel Putnam).

RESULT:	DISCUSSION HELD
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5. Resolution Approving the Removal of Two Historic Trees Located at 547 Bert Fish Drive and 549 Bert Fish Drive.

RESOLUTION NO. 2024 – 46

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, APPROVING THE REMOVAL OF TWO HISTORIC TREES LOCATED at 547 BERT FISH DRIVE AND 549 BERT FISH DRIVE; and providing for an effective date.

RESULT:	APPROVED
MOVER:	Jessica Davis, Commissioner
SECONDER:	Kevin Reid, Commissioner
AYES:	Charles Paiva, Commissioner; Jessica Davis, Commissioner; Dan Reed, Commissioner; Kevin Reid, Commissioner;
NAYS:	None
CONFLICT OF INTEREST:	Christopher M. Cloudman, Mayor-Commissioner-Abstained

6. Discussion re Proposed Changes Related to the Comprehensive Plan Update.

RESULT:	DISCUSSION HELD
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CITY MANAGER REPORT

Report Given

CITY ATTORNEY REPORT

No Report

CITY CLERK REPORT

No Report

CITY COMMISSION

Reports Given

ADJOURNMENT

11:43 P.M.