



CITY OF DELAND
REGULAR MEETING OF THE CITY COMMISSION
OCTOBER 16, 2023 AT 7:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE

MINUTES

CALL TO ORDER

INVOCATION-Pastor Mark Britner, First Methodist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent:

ALSO PRESENT: Michael Pleus, City Manager; Darren J. Elkind, City Attorney; Julie A. Hennessy, City Clerk-Auditor; Jason Umberger, Police Chief; Todd Allen, Fire Chief; Michael Grebosz, Assistant City Manager; Rick Werbiskis, Community Development Director; Jim Ailes, Deputy Public Service/Utilities Director; Ray Bahrami, City Engineer; Rick Hall, Parks and Recreation Director; Mark Hayward, Human Resources Director; Carol Kuhn, Planning Director; Debi Glick, Land Development Manager; John Eiff, Airport Manager; Chris Graham, Community Information Manager; Nick Conte, Economic Development Manager; Kendall Story, Senior Planner; Belinda Williams-Collins, Senior Planner; members of the public and press.

PRESENTATIONS

1. Proclamation re Elder Abuse and Exploitation Awareness Month.

RESULT:	PRESENTED
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2. Presentation re Medical Marijuana Dispensaries.

RESULT:	NOT PRESENTED
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3. Employee Years of Service Award.

RESULT:	NOT PRESENTED
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CONSENT AGENDA

RESULT:	APPROVED, ITEMS 1-8, 10-13
MOVER:	Charles Paiva, Commissioner
SECONDER:	Kevin Reid, Commissioner
AYES:	Charles Paiva, Commissioner; Jessica Davis, Commissioner; Dan Reed,

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

1. Resolution re Surplus Equipment.

RESOLUTION 2023 – 76

A RESOLUTION BY THE CITY OF DELAND; FLORIDA, DECLARING CERTAIN PROPERTY SURPLUS; AUTHORIZING DISPOSAL OF THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

2. Resolution Approving FY 2022-2023 Budget Amendment.

RESOLUTION NO. 2023 - 77

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE BUDGET FOR THE GENERAL FUND, GRANTS AND SPECIAL REVENUE FUND, WATER AND SEWER FUND, WATER TRUST FUND, AIRPORT FUND, REFUSE COLLECTION FUND AND STORMWATER FUND FOR THE FISCAL YEAR 2022-2023; AND PROVIDING AN EFFECTIVE DATE.

3. Resolution Approving FDOT Public Transportation Grant Award for Airfield Markings Project.

RESOLUTION NO. 2023 - 78

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AUTHORIZING THE EXECUTION OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT, FINANCIAL MANAGEMENT NO. 453909-1-94-01 AND PROVIDING FOR AN EFFECTIVE DATE.

4. Resolution Approving FDOT Public Transportation Grant Award for Airport Taxiway A Mid-Section Rehabilitation Construction Project.

RESOLUTION NO. 2023 - 79

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AUTHORIZING THE EXECUTION OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT, FINANCIAL MANAGEMENT NO. 451595-1-94-01 AND PROVIDING AN EFFECTIVE DATE.

5. Resolution Approving FDOT Public Transportation Grant Award for Airport West Apron Rehabilitation Construction Project.

RESOLUTION NO. 2023 - 80

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

MANAGEMENT NO. 447565-2-94-01; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Resolution Approving FDOT Public Transportation Grant Agreement Award for Construction of NON AIP Eligible Items for the West Apron Rehab Project.

RESOLUTION NO. 2023 - 81

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, AUTHORIZING THE EXECUTION OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT, FINANCIAL MANAGEMENT NO. 447565-3-94-01; AND PROVIDING FOR AN EFFECTIVE DATE.

7. Consideration re Amendment to Professional Services Agreement by Brooks & Dun Grant Consulting.
8. Consideration re Right of First Refusal Agreement between Aerodyne Research and the City of DeLand.
9. Consideration re Utility Service Agreement for DeLand Commons.
10. Consideration re Agreement with Southeast Volusia Humane Society, Inc.
11. Consideration re Acceptance of Deed Lift Station, OK Victoria Park LLLP.
12. Consideration re Acceptance of Utility Easement, 305 South Kepler Road.
13. Consideration re Acceptance of Utility Easement, 307 South Kepler Road.
14. Consideration re Renewal of Travelers Wrap Plus Policy for Fiduciary Liability Coverage for the City's Retirement Plans.

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

CONFLICT OF**INTEREST:** Kevin Reid, Commissioner-Abstained**PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT****OLD BUSINESS**

1. Second Reading of Ordinance No. 2023-18, Amending Land Development Regulations Text to Remove the Minimum Acreage for Planned Developments in the Core Gateway Overlay District 1st RDG. 8-21-23.

ORDINANCE NO. 2023 - 18

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELAND/LAND DEVELOPMENT REGULATIONS MODIFYING THE MINIMUM ACREAGE FOR PLANNED DEVELOPMENTS IN THE CORE GATEWAY OVERLAY DISTRICT BY AMENDING SECTION 33-32.02(a) "MINIMUM CONDITIONS FOR APPROVAL"; 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. Second Reading of Ordinance No. 2023-22, Removing 6.105 Acres of Land from Lakewood Park CDD for Transfer to School Board 1st Rdg. 10-02-23.

ORDINANCE NO. 2023-22

AN ORDINANCE OF THE CITY OF DELAND, VOLUSIA COUNTY, STATE OF FLORIDA, AMENDING ORDINANCE NO. 2020-25 AND GRANTING THE PETITION FOR REDUCTION OF THE LAKEWOOD PARK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2023); DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; 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

NEW BUSINESS

1. First Reading of Ordinance Amending Approximately 38.5 Acres of Property, Located at 801 Sol y Sombra for the Manchester Neighborhood Planned Development.

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

2. First Reading of Ordinance Amending Approximately 14.57 Acres of Property, Located at the Intersection of Clear Lake Road and North Spring Garden Avenue, the Pointe Grand Apartments Planned Development.

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

3. First Reading of Ordinance Abandoning a 50-Foot Wide by 255-Foot Long Portion of the Pine Avenue Right-of-Way Running along the Western Boundary of 1632 Parade Circle, and along the Eastern Boundary of 1615 and 1607 North Woodland Boulevard.

RESULT:	APPROVED
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. Resolution Approving Preliminary Plat, Cresswind DeLand Phase 2 & 3, Located East of Lake Winnemissett and North of Service Road.

RESOLUTION NO. 2023 - 82

A RESOLUTION OF THE CITY COMMISSION OF DELAND, FLORIDA, APPROVING THE PRELIMINARY SUBDIVISION PLAT FOR CRESSWIND DELAND, PHASES 2 AND 3, LOCATED EAST OF LAKE WINNEMISSETT AND NORTH OF SERVICE ROAD; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

5. Consideration re Approval of Three (3) New Caterers for the Sanborn Center.

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

6. Consideration re City of DeLand Legislative Program 2023-2024.

RESULT:	CONSENSUS OK
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CITY COMMISSION REPORTS

1. Report re Elected Officials Round Table.
No Report
2. Report re River-to-Sea TPO.
Report Given
3. Report re River of Lakes Heritage Corridor.
Report Given

CITY MANAGER REPORT

Report Given

CITY ATTORNEY REPORT

None

CITY CLERK REPORT

Report Given

CITY COMMISSION

Reports Given

ADJOURNMENT

9:09 P.M.