



Action Summary

City Council

Michael Ignasiak, Mayor
Christine Power, District 1
Amy Vogt, District 2
Dan Blazi, District 3
Gary T. Conroy, District 4

Monday, April 3, 2017

6:00 PM

Council Chambers

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, INVOCATION

Present: 5 - Mayor Mike Ignasiak, Councilwoman Christine Power, Councilwoman Amy Vogt, Councilman Dan Blazi, and Councilman Gary Conroy

Also Present: 3 - City Manager Tracey Barlow, City Clerk/Paralegal Robin Matusick, and City Attorney Aaron Wolfe

2. APPROVAL OF MINUTES

a. Regular Meeting - March 6, 2017

A motion was made by Councilman Blazi, second by Councilwoman Power, to approve the Regular Meeting - March 6, 2017. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

b. Special Meeting - March 21, 2017

A motion was made by Councilman Blazi, second by Councilwoman Power, to approve the Special Meeting - March 21, 2017. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

3. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

a. Proclamation designating April 2017 as Water Conservation Month

b. Proclamation Designating May 2017 as Motorcycle Safety Awareness Month

c. Presentation of the Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2016

3.a. Proclamations Presented Outside Chambers - None at this time

4. CITIZEN COMMENTS**5. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA**

per Mayor need to move 8.I. before 8.a. - Resolution 2017-R-08.

6. CITY COUNCIL REPORTS**7. CONSENT AGENDA**

A motion was made by Councilman Conroy, second by Councilman Blazi, to approve the Consent Agenda as written. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- a.** Enviro-Tech of America, Inc. - Authorize additional funds and associated budget adjustments to comply with Fats, Oils, and Grease (FOG) Control in the Wastewater System
- b.** Aqua Park Swimming pools fill assistance for the New Smyrna Beach High School CUDA Swim Team for Fiscal Year 2017

8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- I.** Resolution 2017-R-08 - Go for Parks Series 2017 General Obligation Note with Ameris Bank

A motion was made by Councilman Conroy, second by Councilwoman Power, to approve Resolution No. 2017-R-08. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

Meeting went into Recess at 6:51 p.m.

Meeting Reconvened at 6:56 p.m.

- a.** 2nd Reading - Ordinance No. 2017-O-02: Chapter 11 (Business Tax Receipts and Business Regulations) to include dispensing facilities in Section 11-7 (Business Tax Schedule) of the Code of Ordinances.
A motion was made by Councilman Blazi, second by Councilwoman Power, to approve Ordinance No. 2017-O-02. The MOTION was APPROVED by the following vote:
Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy
- b.** 1st Reading - Ordinance No. 2017-O-12 - Repealing Chapter 7.5 (Cable

Television Regulations) of the Code of Ordinances

A corrected motion was made by Councilwoman Power, second by Councilwoman Vogt, to approve Ordinance 2017-O-12 - Repealing Chapter 7.5 (Cable Television Regulations) of the Code of Ordinances. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- c.** 1st Reading - Ordinance No. 2017-O-13 - Amending and restating Chapter 19 (Utilities and Services) of the Code of Ordinances in its entirety

A motion was made by Councilwoman Power, second by Councilman Blazi, to adopt Ordinance No. 2017-O-13 - Chapter 19. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- d.** 1st Reading - Ordinance No. 2017-O-14 - Amending and restating Chapter 12.5 (Parks and Recreation) of the Code of Ordinances

A motion was made by Councilman Blazi, second by Councilwoman Power, to approve 1st Reading of Ordinance No. 2017-O-14. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- e.** 1st Reading - Ordinance No. 2017-O-09: an amendment to the Comprehensive Plan Future Land Use Map to include 2.57± acres of land located at 2010 S. Ridgewood Avenue and vacant property to the north and west as Commercial with Conservation Overlay.

A motion was made by Councilwoman Power, second by Councilman Blazi, to approve Ordinance No. 2017-O-09. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- f.** 1st Reading - Ordinance No. 2017-O-10: amendment to the Official Zoning Map to include 9.09± acres of land located at west of S. Ridgewood Avenue, south of Pine Avenue, including 2010 S. Ridgewood Avenue and 2018 S. Ridgewood Avenue as BPUD (Business Planned Unit Development) and approval of the associated BPUD Agreement

A motion was made by Councilman Blazi, second by Councilwoman Power, to approve Ordinance No. 2017-O-10. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- g.** 1st Reading - Ordinance No. 2017-O-11: amendment to the Official Zoning

Map to include 30± acres of land located south of Roberts Road and east of Indian River Elementary School as RPUD (Residential Planned Unit Development) and approval of the associated RPUD Agreement.

A motion was made by Councilman Blazi, second by Councilwoman Power, to approve Ordinance No. 2017-O-11. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

h. Resolution No. 2017-R-10 - FDOT Funding Agreement for Dale Avenue to 10th Street SUN Trail

A motion was made by Councilwoman Power, second by Councilman Blazi, to approve Resolution No. 2017-R-10 and authorize the Mayor to execute the FDOT SunTrail Funding Agreement. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

i. Resolution No. 2017-R-13 - Authorizing the Memorandum of Understanding for the Maintenance of Multi-Use Trail Project Outside of FDOT Right-of-Way for the Dale Avenue to 10th Street Trail

A motion was made by Councilman Blazi, second by Councilwoman Power, to adopt Resolution No. 2017-R-13 - Authorizing the Memorandum of Understanding for the Maintenance of Multi-Use Trail Project Outside of FDOT Right-of-Way. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

j. Resolution No. 2017-R-11 - Relating to correcting the Chain of Title as to the Indian River Boulevard Right-of-Way Extension and approve/authorize the Escrow Agreement

A motion was made by Councilwoman Power, second by Councilman Blazi, to approve Resolution No. 2017-R-11. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

k. Resolution No. 2017-R-12 - Authorizing a Transfer Agreement with the Florida Department of Transportation (FDOT) for portions of the State Road 442 Right-of-Way near the Interchange at I-95

A motion was made by Councilwoman Power, second by Councilman Blazi, to approve Resolution No. 2017-R-12. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

m. Resolution No. 2017-R-14 - Hurricane Matthew budget amendment and

investment funds request

A motion was made by Councilman Conroy, second by Councilwoman Power, to approve Hurricane Matthew Budget Amendment Investment Funds Request referencing Resolution No. 2017-R-14. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

9. BOARD APPOINTMENTS - None at this time

10. OTHER BUSINESS

- a. Robert Cory, owner, requesting the removal of 37.8-inch historic Live Oak tree from property located at 1727 Queen Palm Drive.

A motion was made by Councilman Conroy, second by Councilwoman Power, to approve Robert Cory to take down his tree and reimburse the City for the Arborists Report and Permit. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- b. ITB 17-ES-004 Dale Avenue to 10th Street Trail Project - Thadcon, LLC

A motion was made by Councilman Blazi, second by Councilwoman Vogt, to approve AR-2017-2459. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- c. Construction Engineering & Inspection (CEI) Services for Dale Avenue to 10th Street Trail

A motion was made by Councilman Blazi, second by Councilwoman Power, to approve AR-2017-2434. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

- d. Zev Cohen & Associates - Environmental Permit Compliance Services for Dale Avenue to 10th Street Trail

A motion was made by Councilwoman Power, second by Councilman Blazi, to adopt AR-2017-2435. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor Ignasiak, Councilwoman Power, Councilwoman Vogt, Councilman Blazi and Councilman Conroy

11. OFFICER REPORTS

- a. City Clerk
b. City Attorney

c. City Manager

12. CITIZEN COMMENTS

13. ADJOURN

Motion to adjourn at 9:04 p.m. was made by Councilman Blazi.