

## Joint Meeting with the Deltona City Commission and the Volusia County Council April 21, 2009

### CALL TO ORDER:

The joint meeting with the Deltona City Commission and the Volusia County Council was called to order by Council Chair Frank Bruno of Volusia County Council on Tuesday, April 21, 2009 at 6:02 p.m.

### INTRODUCTION AND OPENING COMMENTS:

Volusia County Chair Bruno introduced the Volusia County Council and staff and Vice Mayor Carmolingo introduced the Deltona City Commission. Those present at the roll call are listed below:

City of Deltona	County of Volusia
Michael Carmolingo, Vice Mayor/District 6	Frank T. Bruno, Jr., County Chair
Zenaida Denizac, District 1	Joie Alexander, Vice Chair/At Large
Herb Zischkau, District 2	Andy Kelly, District 1
Michele McFall-Conte, District 3	Joshua J. Wagner, District 2
Janet Deyette, District 5	Jack Hayman, District 3
Paul Treusch, District 4	Carl Persis, District 4
Faith Miller, City Manager	Pat Northey, District 5
George Trovato, City Attorney	James T. Dinneen, County Manager
	Daniel D. Eckert, County Attorney

Council Chair Bruno welcomed everyone and thanked them for coming.

Vice Mayor Carmolingo read a written statement from Mayor Mulder. In the statement, the Mayor offered an apology for not being able to attend this meeting. The Mayor further indicated there is no perfect plan. However, he has come to the realization that this JPA, which represents the hard work of both the governing bodies and the staff for many years, is the best plan available to the City and County. The Mayor gave his blessings and indicated his hope that both bodies will move forward with the Local Plan amendment tonight. Mayor Mulder stated that this project completion has been a long time coming and that he is proud to have been a part of changing a much needed government relationship. He also indicated, in the statement, that he was proud of all of his colleagues.

Frank Bruno turned over the meeting to Mr. Greg Stubbs to conduct the presentation on the Osteen Local Plan amendment.

**Greg Stubbs, Director, Growth and Resource Management Dept., Volusia County**

Mr. Stubbs began by indicating that 3 Years is a long time, and since then until now, the City and County have moved light years in making progress to put this plan together. He announced for legality purposes that there is a citizen sign up sheet available for the public that will be forwarded to the Florida Department of Community Affairs.

Mr. Stubbs indicated that this the joint transmittal hearing for the Osteen Local Plan as part of the respective City and County large-scale 09-1 Comprehensive plan amendment cycle. He stated that the amendment is a result of the Joint Planning Agreement between Deltona and the County that was executed on December 5, 2008. The agreement requires that the City and County work together to create the Osteen Local Plan.

Mr. Stubbs stated that the Local Plan comprises 3,990 acres and creates seven new Comprehensive Plan future land use designations. Mr. Stubbs then gave an overview of each of these new future land use designations and concluded by recommending that the elected officials transmit the amendment to the Florida Department of Community Affairs and the Volusia Growth Management Commission. He also recommended that the elected officials consider amending Exhibit B of the Joint Planning Agreement to provide for a maximum height for two-story in the Mixed Use Village, Cluster Residential, and Rural Estate land use categories from 25 feet to 35 feet.

**Chris Bowley, Director, City of Deltona Planning and Services Dept.**

Mr. Bowley, Director, City of Deltona Planning and Services Dept. spoke in favor of the amendment. He indicated he was new to the process and expressed his appreciation for all the hard work by City and County staff. He recommended that City Commission amend the JPA as recommended by Mr. Stubbs and transmit the amendment to DCA.

Council Chair Frank Bruno opened the hearing on behalf of the County for questions from the staff and seeing that there were none, he opened for floor for public comments. See that there was none, the Council Chair then closed the public hearing.

Vice Mayor Carmolingo opened the public hearing for the City of Deltona and seeing there was no members of the public wishing to speak, he then closed the public hearing.

Council Chair Frank Bruno then opened the floor for discussion with County Council Members.

**Council Member Northey**

Council Member Northey indicated for the record that at the corner of Lemon Bluff and 415 there is an active business site that Mr. Watts has been working carefully with staff and stated that he is not addressing it through the comprehensive plan amendment, but the County will be addressing it through a special exception. Council Member Northey requested that Mr. Watts go on the record for and state his client's commitment to working with the county at this location for the benefit of those who live along Lemon Bluff in the Osteen area.

**Attorney Mark Watts**

Mr. Watts indicated for the record he and his client have met and are working on the very southern tip of this JPA. He further indicated that they have been working with the owner about the same length of time that the JPA talks have been going on. He indicated that they have not been able to bring any applications forward because of the JPA. Mr. Watts further indicated that he and his client have been meeting with City and County staff along with Wanda VanDam and Carol Healy from the Lemon Bluff area. He stated that they are not looking to do anything commercial recognizing that this location is agricultural.

**Council Member Northey**

Council Member Northey stated that this has been a long time coming. She thanked her colleagues for their dedication and the staff on both sides. She indicated that this is unique in Volusia County that the City and County were able to work on a project for about 20 years and complete it. Council Member Northey made a motion to transmit the Comprehensive Plan amendment and to consider amending the Osteen Joint Planning Agreement as recommended by staff.

**Council Chair Bruno**

Council Chair Bruno recognized the motion by Council Member Northey and second to the motion by Council Member Alexander. After the vote, Council Chair Bruno indicated for the record unanimous support by the County Council with a 7-0 Vote in favor of the motion.

**Vice Mayor Carmolingo**

Vice Mayor Carmolingo asked for a motion by the City Commission. Commissioner McFall-Conte made a motion to transmit the Comprehensive Plan amendment and to consider amending the Osteen Joint Planning Agreement as recommended by staff which was seconded by Commissioner Treusch.

**Commissioner Zischkau**

Commissioner Zischkau stated the local plan was supposed to protect the rural character and environment of Osteen and that was the goal, but the rights of the property owners on 415 are what have been sacrificed in doing so.

**Commissioner McFall-Conte**

Commissioner McFall-Conte stated that many of us have been here since the beginning. We've had staff changes but she is committed to this.

**Vice Mayor Carmolingo**

Vice Mayor Carmolingo stated that this not a perfect plan and he is sure it will have to be amended, but it is good plan.

**Commissioner Treusch**

Commissioner Treusch recognized that the plan is an ever changing document.

**Commissioner Deyette**

Ms. Deyeted stated that this process has been a trip. She indicated that most of the people did not want Osteen to disappear. She stated that she has spoken with a lot of the residents and most feel that this is the best thing. She concluded by stating that she is pleased to be here.

**Vice Mayor Carmolingo**

Vice Mayor Carmolingo then called for a vote. He then indicated that the Deltona City Commission passes the motion on a 4-1 vote.

Commissioner Denizac=Yes  
Commissioner McFall-Conte=Yes  
Commissioner Deyette=Yes  
Commissioner Treusch=Yes  
Commissioner Zischkau=No

**Council Chair Bruno**

Council Chair Bruno asked if there was any other business to be brought to the table. Seeing none, Council Chair Bruno then expressed his appreciation for all the dedication of administration, elected officials, planners, lawyers, city managers who have worked on this for the last three years. With that said he adjourned the meeting of the County Council.

**Vice Mayor Carmolingo**

Vice Mayor Carmolingo then adjourned the meeting of the City Commission.

The joint meeting of the City Commission of the City of Deltona and County Council of Volusia County was adjourned at 6:33 p.m.