

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
APRIL 2, 2019

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Donald O. Burnette at 6:30 p.m.

Invocation by Pastor Ken Sharp of High Point Pentecostal Church

Pledge of Allegiance

Roll Call Present: Interim Council Member Jack Wiles
 Councilman Drew Bastian
 Councilman Scott Stiltner
 Vice Mayor Chase Tramont
 Mayor Donald Burnette

Also Present: City Manager Jake Johansson
 Deputy City Attorney Matthew Jones
 City Clerk Robin Fenwick

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

Robert Reinhausen, citizen, expressed his concerns regarding the fee waiver being requested in Item #7. He asked Council to remove the item from Consent and deny it.

Savannah Weaver, citizen, also spoke regarding Item #7 and doesn't support approval.

5. Agenda Approval

Motion to approve the agenda with the addition of Item #10a, Presentation of Proclamations was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

6. Approval of Minutes

- a. February 26, 2019 - Special City Council Meeting
- b. March 5, 2019 - Regular City Council Meeting

7. Approval of Fee Reduction Request from ICI Homes relating to the Second Amendment to the Woodhaven PUD Master Development Agreement and Conceptual Development Plan

8. Resolution No. 19-12 - Mayor's Golf Tournament Fees

9. Approval of Revised FY20 Budget Calendar

10. Approval of the Fee Matrix for the American Cancer Society for Relay for Life

Motion to approve the Consent Agenda as presented was made by Vice Mayor Chase Tramont and Seconded by Councilman Jack Wiles. Motion carried unanimously by roll call vote.

Item #10a – Presentation of Proclamations

Mayor Burnette read the Water Conservation Proclamation and presented a proclamation on Child Abuse Awareness.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

Mr. Reinhausen spoke regarding the rules for agenda items. He doesn't believe Council should consider items not listed on the agenda.

Matt Roberts, citizen, discussed his concerns regarding pedestrian safety and accessible pedestrian signals. Jake Johansson, City Manager, addressed the project list and TPO applications that include ADA concerns addressed. Sidewalks are currently being reviewed by a company for ADA compliance.

COUNCIL COMMENTS

11. Comments/Concerns from Council Members

Councilman Scott Stiltner thanked Port Orange Community Trust and Staff for the Spring Fair last weekend. He spoke regarding the fee waivers that have been requested and explained his perspective.

Councilman Drew Bastian also thanked POCT and Staff for the Spring Fair.

Vice Mayor Chase Tramont recognized National Autism Day by reading information on the history.

Councilman Jack Wiles asked about parking regulations in neighborhoods (crossing the sidewalks and street parking.) Mr. Johansson explained the different rules that govern parking in neighborhoods. Councilman Jack Wiles discussed the proposed Halifax Road trail and asked if a time out would be appropriate. Mr. Johansson expressed his concerns with the current status of the proposed project and would like Council to hold a workshop with citizens. He suggested a workshop in May.

Mayor Don Burnette asked the City Manager to monitor the campaign signs through Code Enforcement. He also thanked POCT for their efforts and for the recognition they provided for the late Bob Ford.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

12. Report from KemperSports on the Cypress Head Golf

Bob Duquette, General Manager, provided the quarterly update. He discussed the course conditions. They have plans in place to correct the issues with the greens.

PUBLIC HEARING

13. Second Reading - Ordinance No. 2019-11 - Woodhaven PUD/Small-Scale Comprehensive Plan Future Land Use Amendment (Case No. 18-20000007)

Mayor Burnette read Ordinance No. 2019-11.

ORDINANCE NO. 2019-11

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE DESIGNATION FOR +/-6.3 ACRES FROM CONSERVATION TO MIXED-USE CENTER; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-11 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

14. Second Reading - Ordinance No. 2019-12 - Second Amendment to the Woodhaven PUD Master Development Agreement and Conceptual Development Plan (Case No. 18-40000003)

Mayor Burnette read Ordinance No. 2019-12.

ORDINANCE NO. 2019-12

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA APPROVING THE SECOND AMENDMENT TO THE WOODHAVEN PLANNED UNIT DEVELOPMENT (PUD) MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN (CDP); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-12 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

15. First Reading - Ordinance No. 2019-14 - First Amendment to the Catfish Commons Planned Commercial Development (PCD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP), Case No. 19-40000001

Mayor Burnette read Ordinance No. 2019-14.

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR CATFISH COMMONS PLANNED COMMERCIAL DEVELOPMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR APPROXIMATELY +/- 1.53 ACRES GENERALLY LOCATED AT 4085 RIDGEWOOD AVENUE AND 4108 HALIFAX DRIVE; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-14 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Penelope Cruz, Planning Manager, provided details of the amendment request as well as a fee waiver being requested for future potential zoning changes.

Brendan Galbreath, applicant, spoke regarding the term of the tenant of the residence being proposed and answered questions from Council.

Mr. Reinhausen spoke regarding his concerns with the project.

Paul Rozar, citizen, discussed his concern regarding the tenant of the proposed residence. He suggested the tenant register with the City.

Motion carried unanimously by roll call vote.

16. First Reading - Ordinance No. 2019-15 - LDC Amendment/Chapter 9, Article, II (Case No. 19-25000001)

Mayor Burnette read Ordinance No. 2019-15.

ORDINANCE NO. 2019-15

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE CHAPTER 9, RELATING TO UPDATING REQUIREMENTS FOR TREE SURVEY AND TREE MITIGATION PAYMENT REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-15 was made by Councilman Drew Bastian and Seconded by Vice Mayor Chase Tramont.

Tim Burman, Community Development Director, discussed the LDC amendment being requested. The Environmental Advisory Board discussed and approved the changes being presented. Mr. Burman answered questions from Council.

Motion carried 3-2 by roll call vote with Councilman Jack Wiles and Vice Mayor Chase Tramont voting no.

17. First Reading - Ordinance No. 2019-16 – Fifth Amendment to the Westport Storage and Office Park PCD Master Development Agreement (Case No. 19-40000002)

Mayor Burnette read Ordinance No. 2019-16.

ORDINANCE NO. 2019-16

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIFTH AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR WESTPORT STORAGE AND OFFICE PARK PLANNED COMMERCIAL DEVELOPMENT (PCD) AND CONCEPTUAL DEVELOPMENT PLAN FOR APPROXIMATELY +/-12.432 ACRES GENERALLY LOCATED AT 1415-5889, 5895, 5898 WILLIAMSON BOULEVARD; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-16 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Ms. Cruz discussed the amendment being requested.

Motion carried unanimously by roll call vote.

REGULAR AGENDA

18. First Reading - Ordinance No. 2019-6 - Amending Chapter 54 for relating to the General Employee Retirement Systems participation and 401(a) Plan contributions

Mayor Burnette read Ordinance No. 2019-6.

ORDINANCE NO. 2019-6

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 54, ARTICLE VI, RELATING TO THE 2003 GENERAL EMPLOYEES' RETIREMENT SYSTEM; AMENDING THE CODE SECTIONS 54-147 AND 54-162; PROVIDING FOR PENSION PARTICIPATION AND CONTRIBUTIONS PURSUANT TO PLAN DOCUMENTS FOR EACH 401(a) AND 457 PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-6 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Jamie Miller, Administrative Services Director, explained the revisions proposed.

Motion carried unanimously by roll call vote.

19. Authorization to submit the proposed project list for the River to Sea TPO 2019 Transportation Improvement Program Priority List

Motion to approve the list with the above changes was made by Vice Mayor Chase

Tramont and Seconded by Councilman
Jack Wiles.

Mr. Burman discussed the projects being proposed. ADA compliance and enhancements are included in the project applications.

1. Eastbound Taylor Road right-turn lane and pedestrian improvements at Spruce Creek Elementary;
2. Extend existing left-turn lanes along Dunlawton Avenue;
3. Williamson Boulevard and Willow Run Boulevard sidewalks;
4. Northbound Clyde Morris Boulevard right-turn lane at Reed Canal Road;
5. Northbound Clyde Morris Boulevard right-turn lane at Madeline Avenue;
6. Northbound Clyde Morris Boulevard right-turn lane at Herbert Street;
7. Southbound Clyde Morris Boulevard right-turn lane at Madeline Avenue;
8. Southbound Clyde Morris Boulevard right-turn lane at Willow Run Boulevard;
9. Southbound and northbound Yorktowne Boulevard right-turn lanes at Dunlawton Avenue; and
10. Taylor Branch Road improvements, and eastbound and westbound Taylor Road right-turn lanes at Boggs Ford Road and Yorktowne Boulevard.

Councilman Scott Stiltner reminded Council there will be a City match with these types of projects as well as unforeseen issues.

Council supported the projects listed.

Motion carried unanimously by roll call
vote.

20. FY2018 Audit (CAFR)

This item was removed from the agenda prior to the meeting and is expected to be rescheduled for the April 16, 2019 City Council meeting.

ADDITIONAL ITEMS

21. City Attorney

There was nothing further.

22. City Manager

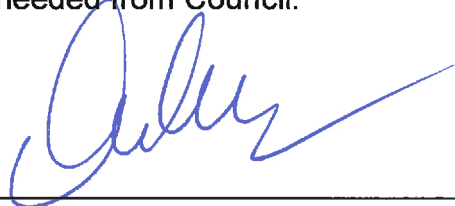
Mr. Johansson provided an overview of the process for evaluation of the City Manager's performance that was used last year and asked Council to discuss the process to be used this year. Mayor Don Burnette asked that the evaluation form be provided for guidance.

COUNCIL COMMITTEE REPORTS

23. City Council Committee Reports

- a. River to Sea TPO - Councilman Stiltner provided an update.
- b. General Employees' Pension Board - Councilman Stiltner provided an update.
- c. First Step Shelter - Vice Mayor Tramont provided an update and asked Council for clarification and consensus on how to spend the funds. Mayor Don Burnette suggested this be added to the next agenda for further discussion.
- d. Port Orange/South Daytona Chamber of Commerce - Mayor Burnette provided an update.
- e. Arthaus – An assignment is needed from Council.

ADJOURNMENT – 8:37 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, CMC
City Clerk