

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MARCH 5, 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.

OPENING

Silent Invocation

Pledge of Allegiance

Roll Call	Present:	Interim Council Member Jack Wiles Councilman Drew Bastian Councilman Scott Stiltner Vice Mayor Chase Tramont Mayor Donald Burnette
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Also Present:	City Manager Jake Johansson City Attorney Margaret Roberts City Clerk Robin Fenwick
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CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were no public comments.

5. Agenda Approval

Motion to approve agenda 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 19, 2019 - Joint Workshop w/Volusia County School Board
- b. February 19, 2019 - Regular City Council Meeting

7. Bid Awards and Contract Items

- a. Approval of Contract Award - ITB 19-02 - Concrete Installation, Repairs and Replacement to Sparks Concrete, LLC
- b. Approval of Contract Award Bid # 19-04 for Athletic Field Spray Services to TruGreen of Daytona Beach

8. Approval of Carlisle Drive License Agreement/Bella Oaks Townhome Subdivision

9. Approval of Fee Reduction or Waiver - Oak Trail Run Townhomes
10. Resolution No. 19-11 - Providing for a Canvassing Board

Motion to approve the Consent Agenda as amended was made by Councilman Drew Bastian and Seconded by Vice Mayor Chase Tramont Councilman Drew Bastian. Motion carried unanimously by roll call vote.

Motion to pull item 10 for further discussion by Councilman Drew Bastian and Seconded by Vice Mayor Chase Tramont. Motion carried unanimously by voice vote.

Mayor Burnette explained the need for the Canvassing Board and asked if any changes were needed.

Motion to approve agenda was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

ANNUAL MEETING OF CORPORATIONS

11. Port Orange Property Development, Inc. Joint Annual Meeting of the Members, Directors and Design Review Board

Council recessed at 6:34 p.m. to hold the Port Orange Property Development, Inc. Joint Annual Meeting of the Members, Directors and Design Review Board meeting, minutes of which are under separate cover.

12. City Center Corporate Park Property Owner's Association, Inc. Joint Annual Meeting of Members and Directors

Council recessed to hold the City Center Corporate Park Property Owner's Association, Inc. Joint Annual Meeting of Members and Directors, minutes of which are under separate cover.

City Council reconvened at 6:43 p.m.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

Michael Dalton, citizen, discussed his concerns regarding construction at 5414 Riverside Drive. He is concerned with encroachment and run-off. He's also concerned with parking. Mayor Burnette will have the City Manager or staff reach out to him with information relating to this plan.

Wayne Walker, citizen, is also concerned with the construction at 5414 Riverside Drive and the occupants who don't seem to be owners of the property.

COUNCIL COMMENTS

13. Comments/Concerns from Council Members

Councilman Stiltner wished Mary Whitmeyer a happy 95th birthday.

Councilman Wiles discussed a complaint from a citizen in Sleepy Hollow regarding pot holes. He'd like to see about getting the barricades removed. Jake Johansson, City Manager, advised Staff is looking for funding and the project is on the list. Councilman Wiles asked if there is a timeline for the bridge repairs. Mayor Burnette said FDOT has said April 2019. Councilman Stiltner explained some of the details for the project.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

14. Environmental Advisory Board Report

John Macaluso, Chairman, provided an update from their recent meetings.

15. Golf Advisory Board Report

Richard Lee, Chairman, provided an update from their recent meeting. Mr. Lee would like Council to consider asking KemperSports to break out the paid rounds vs. non-paid rounds. Council asked Mr. Johansson to ask Bob Duquette, General Manager, to discuss the same in April.

16. Golf Advisory Board Appointments

Motion to re-appoint Richard Lee and Jane Taylor to the Golf Advisory Board was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

PUBLIC HEARING

17. Second Reading - Ordinance No. 2019-9 - Amending Section 2-186 through 2-189 relating to Administrative Officials

Mayor Burnette read Ordinance No. 2019-9.

ORDINANCE NO. 2019-9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING AND RESTATING THE CODE OF ORDINANCES, SECTION 2-186 THROUGH 2-189, INCLUSIVE, RELATING ADMINISTRATIVE OFFICIAL REGULATIONS, REQUIREMENTS, EMPLOYMENT, TERMINATION, RIGHTS, BENEFITS, COMPENSATION AND EVALUATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-9 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

18. Second Reading - Ordinance No. 2019-10 - Amending the City's Regulations of Dangerous Dogs

Mayor Burnette read Ordinance No. 2019-10.

ORDINANCE NO. 2019-10

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 10, SECTION 10-3, CODE OF ORDINANCES, TO REVISE THE DEFINITION OF DANGEROUS DOG; AMENDING SECTION 10-9, CODE OF ORDINANCES, REGARDING THE CONFINEMENT REQUIREMENTS FOR A DANGEROUS DOG; AMENDING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-10 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

19. Second Reading - Ordinance No. 2019-13 - Amending Chapter 2, Article VI, Section 2-273 of the Code of Ordinances, Finance

Mayor Burnette read Ordinance No. 2019-13.

ORDINANCE NO. 2019-13

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2, SECTION 2-273 RELATING TO FINANCE PURCHASE AND SALE PROCEDURES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-13 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

REGULAR AGENDA

20. Resolution No. 19-8 - Transfer of 0.84 State Wetland Mitigation Bank Credits for the City of Port Orange Police Department Range and Training Facility.

Mayor Burnette read Resolution No. 19-8.

RESOLUTION NO. 19-8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE TRANSFER OF 0.84 STATE WETLAND MITIGATION CREDITS FROM THE PORT ORANGE WETLAND MITIGATION BANK; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL REQUIRED DOCUMENTS ON BEHALF OF THE CITY OF PORT ORANGE; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Resolution No. 19-8 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Margaret Roberts, City Attorney, explained the need for the transfer.

Savannah Weaver, citizen, expressed concerns regarding environmental impacts from the bullet casings at the shooting range.

Motion carried unanimously by roll call vote.

21. Resolution No. 19-9 - Parks and Recreation Partner Fees

Mayor Burnette read Resolution No. 19-9.

RESOLUTION NO. 19-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ESTABLISHING REVISED; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Resolution No. 19-9 was made by Councilman Drew Bastian and Seconded by Vice Mayor Chase Tramont.

Susan Lovallo, Parks & Recreation Director, explained the process and discussions held regarding the Park Partner fees. Staff supports the recommendation from the Parks & Recreation Advisory Board.

Councilman Jack Wiles explained how the Advisory Board came to the recommendation as presented.

Councilman Scott Stiltner believes the percentage of Port Orange resident players should be higher than 50%. He'd like to see 80% Port Orange residents.

Rachel Truxell, citizen and volunteer with Port Orange Volleyball, spoke regarding the difficulty of recruiting and maintaining more than 50% Port Orange residents. She explained the services the club has done throughout the years.

Mike Bellis, Port Orange Baseball Club, also spoke regarding the residency requirements. He believes the investment in the players is priceless.

Tim Moore, citizen, agreed with Mr. Bellis. He asked Council to support youth activities and not raise the fees by 50%.

Mike Navarro, Port Orange Baseball Club President, is concerned with new clubs being able to pay their way when they are starting out.

Chelsea Nichols, Port Orange Volleyball, expressed concerns with the price increase as a single mother.

Samuel Green, Edgewater resident and Port Orange Volleyball member, spoke regarding the expenses of having three children in sports.

Mike Semple, Port Orange Volleyball parent, spoke regarding the skills learned through competitive sports. He believes the increase is too much.

Shawn Holmes, Port Orange Youth Football and Cheer Association President (Pop Warner), is concerned with the expenses they already have because of wear and tear, as well as changed regulations for safety issues.

Lauren Valley, Port Orange Volleyball, suggested more tournaments as they are now able to charge an entry fee.

Erin Greco, Port Orange Volleyball, is concerned with the increase in fees.

Paul Rozar, citizen, believes the fees need to remain low to keep kids in sports.

Councilman Scott Stiltner explained his issues relating to the 50% residency requirement and cost recovery.

Council members expressed their concerns with budgeting and supports kids in sports.

Motion carried 4-1 by roll call vote with
Mayor Donald Burnette voting no.

**22. Resolution No. 19-10 - Authority to reserve and transfer 7.02 federal
Wetland Mitigation Bank Credits for the Reclaimed Lakes Project**

Mayor Burnette read Ordinance No. 19-10.

RESOLUTION NO. 19-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORT ORANGE, VOLUSIA COUNTY, FLORIDA,
APPROVING THE RESERVATION AND TRANSFER OF
7.03 FEDERAL WETLAND MITIGATION BANK CREDITS
FOR THE RECLAIMED LAKES PROJECT; AUTHORIZING
THE MAYOR AND CITY CLERK TO EXECUTE ANY AND
ALL REQUIRED DOCUMENTS ON BEHALF OF THE CITY
OF PORT ORANGE; AND PROVIDING AN EFFECTIVE
DATE.

Motion to adopt Resolution No. 19-10 to
transfer 7.03 credits was made by Vice

Mayor Chase Tramont and Seconded by
Councilman Drew Bastian. Motion
carried unanimously by roll call vote.

Ms. Roberts advised of the typo in the agenda item (7.02 credits should be 7.03 credits) which was provided to Council prior to the meeting. She also asked for a "Motion to approve the conservation easement for 88.207 acres as required by Permit No. SAJ-2002-3473-MLH" to ensure the project is approved by the current Council as the project is old.

Motion to approve the conservation easement for 88.207 acres as required by Permit No. SAJ-2002-3473-MLH was made by Councilman Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

23. City Attorney

There was nothing further.

24. City Manager

Mr. Johansson advised the actuarial reports are being submitted to Staff and asked Council if they would like a presentation, report with a summary, or have the actuary provide a video for Council to review. Council consensus is in person presentations but more concise and limited to 10 minutes.

Mr. Johansson advised Staff is looking into the solicitor's permit process, as well as school traffic along Taylor Road near Spruce Creek Elementary School.

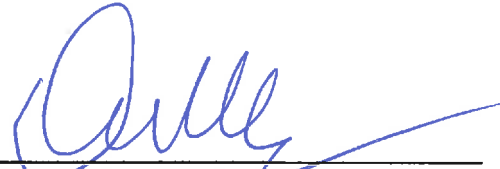
COUNCIL COMMITTEE REPORTS

25. City Council Committee Reports

- a. River to Sea TPO – Councilman Scott Stiltner provided an update from the recent meeting.
- b. General Employees' Pension Plan – No update since the last meeting.
- c. Police Pension Plan – Councilman Drew Bastian provided an update.

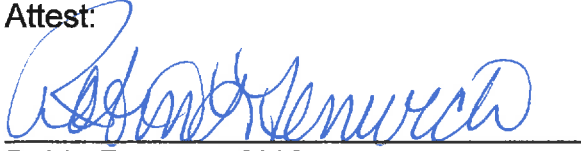
Mayor Burnette reminded all of the changes in the Council Meeting schedule for March. There is no meeting on March 19, 2019. The Town Center CRA & Eastport CRA meetings will be held on March 26, 2019 at 5:00 p.m. The next regular City Council meeting will be held at 6:30 p.m. on April 2, 2019.

ADJOURNMENT 8:45 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, CMC
City Clerk

