

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
DECEMBER 18, 2018

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.

Silent Invocation

Pledge of Allegiance

Roll Call	Present:	Councilman Drew Bastian Councilman Scott Stiltner Vice Mayor Chase Tramont Mayor Donald Burnette
	Absent:	Councilman Bob Ford (Excused)
	Also Present:	City Manager Jake Johansson City Attorney Margaret Roberts City Clerk Robin Fenwick

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

There were no changes requested.

6. Approval of Minutes

a. December 4, 2018 - Regular City Council Meeting

7. Bid Awards and Contract Items

a. Approval of Task Authorization No. 18 under the Master Contract for Services for services with Mead and Hunt, Inc. related to the Virginia Avenue and Monroe Street Storm Water Improvements.

b. Approval of the Amendment No. 1 to the Amended and Restated Agreement with G.E.L. Corporation to Provide Recyclable Materials Processing and Marketing Services (CA File #0000674)

c. Change Order No. 1 to Task Authorization No. 6: Police Shooting Range ITB 19-01 - Zev Cohen & Associates

8. Resolution No. 18-60 - Budget Appropriation

9. Approval of the Memorandum of Understanding (MOU) with PBA concerning Specialty Pay

10. Approval of CDBG Amended Action Plan for Program Year 2018 and Program Year 2017 Consolidated Annual Performance and Evaluation Report (CAPER)
11. Acceptance of the 2018 Annual Concurrency Management Report
12. Adoption of the 2019 Public Hearing and Development Review Calendars
13. Approval of a Lien Recovery Agreement for the property at 929 Forest Glen Drive
14. Approval of Concurrency and Fair-Share Agreement for the Springs at Port Orange Site Plan - Case No. 18-80000008 (Continued from 12/4/18)
15. Approval of Concurrency and Fair-Share Agreement for the Autozone Site Plan (1710 Taylor Road) - Case No. 18-80000007

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

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Robert Reinhausen, citizen, expressed his concerns with voting taking place on items that are not on the agenda.

Steven Kleid, citizen, expressed his concerns with traffic signals within the City and how they change so often, especially on Dunlawton Avenue.

COUNCIL COMMENTS

17. Comments/Concerns from Council Members

Mayor Burnette asked Mr. Johansson to provide an update on the Taylor Road closure. Mr. Johansson introduced Brad Blais with Mead & Hunt, who provided an update on the project.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

18. Citizen Advisory Committee for TPO

The CAC did not meet this month; no report provided.

PUBLIC HEARING

19. Second Reading - Ordinance No. 2018-27 - Shopping Carts

Mayor Burnette read Ordinance No. 2018-27.

ORDINANCE NO. 2018-27

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 18, TO ESTABLISH A NEW ARTICLE XIV ADOPTING SHOPPING CART REGULATIONS RELATED TO SIGNAGE AND ON-SITE RETENTION MEASURES; PROVIDING PROCEDURES FOR SHOPPING CARTS FOUND ON PUBLIC PROPERTY; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-27
was made by Vice Mayor Chase Tramont
and Seconded by Councilman Drew
Bastian.

Matthew Jones, Deputy City Attorney, discussed the changes made after the original first reading based on public comments.

Mr. Kleid expressed does not support penalizing the store for theft of their shopping carts.

William Lynch, citizen, expressed his concerns as well, specifically for those who are handicap and need the assistance of the shopping cart.

Motion carried 3-1 by roll call vote with
Vice Mayor Tramont voting no.

20. Second Reading - Ordinance No. 2018-30 - Small-Scale Future Land Use
Amendment/1389 Reed Canal Road

Mayor Burnette read Ordinance No. 2018-30.

ORDINANCE NO. 2018-30

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 +9.91 ACRES FROM VOLUSIA COUNTY URBAN LOW INTENSITY (0.2-4 UNITS/ACRE) TO CITY OF PORT ORANGE URBAN MEDIUM DENSITY (4-8 UNITS/ACRE); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-30 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

21. Second Reading - Ordinance No. 2018-31 - PUD Rezoning and New Port Master Development Agreement and Conceptual Development Plan (Case No. 18-65000002)

Mayor Burnette read Ordinance No. 2018-31.

ORDINANCE NO. 2018-31

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY ±29.7 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF REED CANAL ROAD, BETWEEN CLYDE MORRIS BOULEVARD AND ATLANTIC HIGH SCHOOL FROM CITY OF PORT ORANGE PLANNED COMMERCIAL DEVELOPMENT (PCD) AND VOLUSIA COUNTY RURAL AGRICULTURE (A-2) TO PUD (PLANNED UNIT DEVELOPMENT) AND APPROVING A MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR THE NEW PORT APARTMENTS PUD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-31 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

22. Second Reading - Ordinance No. 2018-33 – 3rd Amendment to the Journey's End Planned Commercial Development Master Development Agreement, Case No. 18-40000002

Mayor Burnette read Ordinance No. 2018-33.

ORDINANCE NO. 2018-33

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR THE JOURNEY'S END (f/k/a THE PEACOCK WAY) PLANNED COMMERCIAL DEVELOPMENT (PCD) AND THE CONCEPTUAL

DEVELOPMENT PLAN (CDP); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-33 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

23. Second Reading – Ordinance No. 2018-34 - Amending Chapter 2 of the Code of Ordinances pertaining to Code Enforcement Lien Reduction Program

Mayor Burnette read Ordinance No. 2018-34.

ORDINANCE NO. 2018-34

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING SECTION 2- 226 OF THE CODE OF ORDINANCES RELATED TO CODE ENFORCEMENT LIEN REDUCTION PROGRAM; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-34 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

24. First Reading - Ordinance No. 2018-35 - Annexation/All Aboard Storage - Taylor Road

Mayor Burnette read Ordinance No. 2018-35.

ORDINANCE NO. 2018-35

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ANNEXING THE FOLLOWING PARCELS: 6224-00-00-0051 AND 6224-00-00- 0080, MADE UP OF APPROXIMATELY ±3.8 ACRES OF PROPERTY ALONG WITH THE ADJACENT TAYLOR ROAD RIGHT-OF-WAY; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-35 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Penelope Cruz, Planning Manager, discussed the requested annexation.

Council members expressed concerns about traffic, visibility, and the other items. They urged the applicant to have discussions with the neighbors.

Motion carried unanimously by roll call vote.

25. First Reading – Ordinance No. 2018-36 - 2018 Comprehensive Plan Capital Improvements Element (CIE) Annual Update (Case No. 18-27500001)

Mayor Burnette read Ordinance No. 2018-36.

ORDINANCE NO. 2018-36

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR THE FY2019-2024 FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS AND SUPPORTING DATA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-36 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Ms. Cruz provided details of the need for this annual update.

Motion carried unanimously by roll call vote.

26. Final Plat & Plans for the King's Landing Subdivision, Phase I, east side of Hensel Road, between East Hensel Drive and Hills Boulevard, Case No. 18-50000003

Motion to approve the Final Plat & Plans for the King's Landing Subdivision, Phase I was made by Vice Mayor Chase

Tramont, and Seconded by Councilman
Drew Bastian.

Tim Burman, Community Development Director, explained the modification being requested. Mr. Burman answered Council's questions regarding the size of the lots and the fill dirt needed.

William Litch, citizen, expressed his concerns regarding the constant changes. He doesn't believe the access point of Hensel Road is enough.

Sarah Jones, citizen, asked Council to use the microphones so they can be heard.

Motion carried unanimously by roll call
vote.

REGULAR AGENDA

27. Award of Bid #18-20 - Enterprise Resource Planning (ERP) Software to Workday and Implementation Services to Collaborative Solutions

Motion to approve award of Bid #18-20
for two contracts as follows: (1)
Enterprise Resource Planning (ERP)
Software and Consulting Services with
Workday in an amount to be determined
and (2) Implementation Services with
Collaborative Solutions in an amount to
be determined was made by Vice Mayor
Scott Stiltner and Seconded by
Councilman Drew Bastian.

Alan Rosen, Assistant City Manager, provided details of the changes provided prior to the meeting to Council, as well as details on the ERP project and the request for bid award. Staff has negotiated with the top ranked vendors as directed by Council and is attempting to purchase several modules from Workday. He requested Council approval.

Jane Davis, ERP Project Manager, provided details of the process improvement teams that have been working within the Staff.

Mr. Rosen provided the dollar figures on the \$2,501,662 for Collaborative Solutions and \$1,665,668 for Workday.

Motion carried unanimously by roll call
vote.

Mayor Burnette thanked Ms. Davis for her work with the PIT Crews. He heard positive feedback from employees during a recent event.

COMMENTS

28. City Attorney Comments

There were no comments.

29. City Manager Comments

Mr. Johansson advised Council he has decided to close City Hall on Monday, December 24, 2018. Those who have to work will receive 8 hours to use at a later day. The pancake breakfast will be postponed until a later date to be announced.

COUNCIL COMMITTEE REPORTS

30. City Council Committee Reports

- a. ArtHaus – Councilman Ford was not present to provide a report.
- b. Port Orange/South Daytona Chamber of Commerce – Mayor Burnette reported on the upcoming events
- c. Roundtable of Elected Officials – Mayor Burnette reported on their recent meeting.

ADJOURNMENT – 8:09 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, CMC
City Clerk