REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
DECEMBER 5, 2017

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.

Pledge of Allegiance

Invocation was given by Pastor Steven Mitchell of Port Orange United Church of Christ.

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

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

Item #7 was pulled by the Mayor for further discussion.

6. Approval of Minutes
   a. October 17, 2017 - Regular City Council Meeting (Amendment)
   b. November 14, 2017 - City Council Workshop
   c. November 14, 2017 - Regular City Council Meeting
   d. November 28, 2017 - City Council Workshop
7. Council Meeting Schedule for 2018
8. Bid Awards and Contract Items
   a. Renewal of Temporary Employee and Employee Leasing Services Contracts
   b. Approval of Task Authorization No. 1 with Southeastern Surveying and Mapping Corp. for City Professional Survey Services Contract CA5749-Centerline Elevation Survey of Stormwater Drainage Ditches-DIP067
9. Resolution No. 17-64 - Extending the Waiver of Permit Fees for damage due to Hurricane Irma
10. Resolution No. 17-65 - Local Agency Program (LAP) Supplemental Agreement #1 for McDonald Road sidewalk and Victoria Gardens Boulevard sidewalk

11. Approval of License Agreement - Cornerstone Grove Subdivision (Coulter Lane)

12. Acceptance of grant funds from the Target Foundation

Motion to approve Consent Agenda as amended was made by Councilman Bastian, and Seconded by Councilman Tramont. Motion carried unanimously by roll call vote.

7. Council Meeting Schedule for 2018

Mayor Burnette noted the first meeting in January is the 4th rather than the 2nd.

Motion to approve was made by Councilman Bastian, and Seconded by Councilman Tramont. Motion carried unanimously by voice vote.

TOWN CENTER CRA MEETING

Council recessed at 6:33 p.m. to hold the Town Center CRA Meeting, minutes of which are under separate cover.

EASTPORT CRA MEETING

Council recessed at 6:36 p.m. to hold the Eastport CRA Meeting, minutes of which are under separate cover.

Council reconvened at 6:38 p.m.

CITIZEN PARTICIPATION (Agenda)

13. Florida Elite Soccer Club

Marc Greenburg, President of the Port Orange Soccer Club, discussed the soccer club's concerns with the condition of the fields and their need for more fields. The soccer club is merging with Florida Elite Soccer Club in 2018. They feel the City is missing out on grants that would be available for building fields. He encouraged Council to partner with the Club to meet their needs.

Vice Mayor Ford asked the City Manager to look into the condition of the Southwinds fields. Mr. Johansson said it is overused and there were some other issues with contracting in the area. Discussion was held regarding funding to fix those fields, as well as other options for field space.

Councilman Stiltner addressed issues with building a huge, state of the art facility that can't be sustained financially. He agreed there is a problem with all sports in Port Orange. Our programs are growing and outgrowing our field space.

Steve Mail, President of Florida Elite, discussed their goals and upcoming partnership with NIKE. They are requesting a 4-field complex; approximately 12 acres in size. They are a non-profit organization but have approximately $100,000 to contribute to the fields.

Councilman Tramont wants to be assured of the integrity of the partners with Florida Elite.

Councilman Stiltner asked them to bring a specific plan of their request.

Mayor Burnette understands the issues with the fields and would agree with Councilman Stiltner about wanting to see a specific plan before they can commit taxpayer dollars.

Council doesn't support exclusive use of fields that are paid for by taxpayers. Mr. Mail advised others are welcomed to play on the fields.

Mr. Johansson advised that funding was not budgeted for a sports complex. He may have land options available in the future and discussions can be held with the Club and the land owners for the Club to own the land/fields and be responsible for the annual maintenance costs. He will bring back further information as it occurs.

14. Request by Habitat for Humanity of Greater Volusia County, Inc., to reduce the application fees to actual cost for two Minor Subdivision applications

Colleen Miles requested a reduction of the application fees incurred.

Tim Burman, Community Development Director, explained the staff time spent and supports approval of actual costs.

> Motion to approve the request was made by Vice Mayor Ford, and Seconded by Councilman Tramont. Motion carried unanimously by roll call vote.

15. Port Orange/South Daytona Chamber & Rotary Fee Waiver request for Riverwalk

Shawn Goepfert requested a fee waiver for the first annual Port Orange River Fest on the Halifax event to be held on May 4-6, 2018. He asked Council to partner with them.

Mr. Johansson said the agenda item appears to be a fee waiver but the request is for a co-sponsorship instead. He suggested a change to obtain Council's approval for a co-sponsorship agreement each year and determine the cost share amount as needed in the future.

Council agreed to a co-sponsorship agreement.

> Motion to approve the agreement and dates was made by Councilman Tramont, and Seconded by Vice Mayor Ford. Motion carried unanimously by roll call vote.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Brian Spies, citizen, thanked the Mayor and City Manager's Office for their response to issues he has had with trees at his house.

COUNCIL COMMENTS

16. Comments/Concerns from Council Members

Councilman Tramont thanked Parks & Recreation for the Tree Lighting Ceremony. It was a great event. He advised of the House Bill moving through the legislature relating to smoking in parks and moving the regulation of it back to the local level. The ground breaking of First Step is Wednesday, December 13, 2017. Vice Mayor Ford is back up for Councilman Tramont if he is unable to attend.

Vice Mayor Ford and Councilman Bastian also thanked all Staff for the work at both Christmas events, as did Councilman Stiltner and Mayor Burnette. Councilman Stiltner read Kayne Finley's obituary.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

17. Report from KemperSports on the Cypress Head Golf

Bob Duquette, General Manager, provided details from the October 2017 report. Rains in October caused four days of closure and some damage. They hired a new employee to the teaching staff, Mike Dick. Survey results were received from two golfers of the over 300 sent out.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

18. Citizen Advisory Committee for TPO

Bobby Ball provided details from the recent meeting, specifically leaving the 10% match at 10%. Vice Mayor Ford asked Mr. Ball for recommendations on a project for a pedestrian bridge across Dunlawton Ave. to connect trails into New Smyrna Beach and Edgewater.

Council recessed at 8:10 p.m.; reconvened at 8:17 p.m.

PUBLIC HEARING

19. First Reading -Ordinance No. 2017-31 – LDC Amendment/Chapters 14 and 20, Ridgewood Corridor Improvements, Case No. 17-25000003

Mayor Burnette read Ordinance No. 2017-31.

ORDINANCE NO. 2017-31

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE; AMENDING CHAPTER 14, SECTION 3 TO MODIFY THE FLORIDA VERNACULAR ARCHITECTURAL THEME IN THE PORT ORANGE TOWN CENTER COMMUNITY REDEVELOPMENT AREA; AMENDING CHAPTER 20, SECTION 2 TO REVISE EXISTING DEVELOPMENT INCENTIVES AND ADD ADDITIONAL DEVELOPMENT INCENTIVES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2017-31 was made by Councilman Bastian, and Seconded by Councilman Tramont.

Penny Cruz, Planner, discussed the need for the amendment based on Council's discussion in May 2017.

Motion carried unanimously by roll call vote.

20. Final Plat & Plans for King's Landing Subdivision Phase 1, Subdivision Variance for King's Landing Subdivision Phase 1, and Concurrency and Fair-Share Agreement, Case No. 17-50000008

Mr. Burman provided details of the request which follows the existing zoning. Staff recommended approval.

Councilman Tramont thanked the developer for their work to make the most people happy, specifically with not connecting to Forest Troll Drive and Westport Drive.

Glen Storch, Attorney for King's Landing, thanked Staff and Council for their recommendations and work on the plans. All requirements of zoning and the Land Development Code has been met other than the variance being requested.

William Litch, citizen, is concerned with emergency access with the two roads being closed. He suggested the road connectivity to allow egress but it only be for emergency use.

Steven Johnston, citizen, thanked Council for listening to the citizens. He asked how the number of lots increased and wants Council to slow down on development. Mr. Burman advised the lots were added because of the road closures and are 20,000 sq. foot lots.

Lisa Nunez, citizen, believes the road access through Forest Troll Drive is necessary. Spreading out the traffic will be more beneficial to the community.

> Motion to approve the Final Plat & Plans for the King's Landing Subdivision, Phase I, to approve a subdivision variance to allow the subdivision to be developed without extending Forest Troll Drive and Westport Drive into the proposed subdivision, and to approve the Concurrency Fair-Share Agreement was made by Councilman Bastian, and Seconded by Councilman Stiltner. Motion carried unanimously by roll call vote.

Mayor Burnette thanked the property owner/developer for allowing the City to use the property on Hensel Road for storm debris.

REGULAR AGENDA

21. First Reading - Ordinance No. 2017-32 - Police Pension Amendment for the Share Plan

Mayor Burnette read Ordinance No. 2017-32.

ORDINANCE NO. 2017-32

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING CHAPTER 54, ARTICLE V, CODE OF ORDINANCES, CITY OF PORT ORANGE FLORIDA,

ENTITLED "POLICE PENSION FUND"; AMENDING SECTION 54-137, FUNDING; CREATING A NEW SECTION 54-140, SHARE PLAN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2017-32 was made by Councilman Bastian, and Seconded by Councilman Tramont.

Jamie Miller, Administrative Services Director, explained the need for the amendment. The Plan will be established as required by Law but will not be funded at this time.

Motion carried unanimously by roll call vote.

22. Award of Contract to A.G. Pifer Construction Company for renovations at Dorothy L. Hukill City Annex

Susan Lovallo, Parks & Recreation Director, provided details of the bids received and Mr. Johansson discussed the funding changes made to cover the project.

Motion to approve the contract award effective upon budget appropriation and subject to City Attorney approval of the contract documents for A.G. Pifer Construction Company in the amount of $1,918,040.51 and to authorize the Mayor and City Clerk to execute the documents was made by Councilman Tramont, and Seconded by Councilman Bastian. Motion carried 4-1 by roll call vote with Vice Mayor Ford voting no.

COMMENTS

23. City Attorney Comments

a. Authorize the engagement of Special Legal Counsel, Daniel W. Langley, Esquire for the proposed Riverwalk property acquisition

The City Attorney withdrew this item prior to the start of the meeting and there was nothing further to report from the City Attorney.

24. City Manager Comments

Mr. Johansson is not opposed to community events but is cautious with waving the fees. He looks forward to upcoming events.

ADJOURNMENT: 8:58 p.m.

Mayor Donald O. Burnette

Attest:

Robin Fenwick, CMC
City Clerk