

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
APRIL 18, 2017

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

Pledge of Allegiance

Invocation provided by Calvin Gittner of Port Orange Presbyterian Church.

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

CONSENT AGENDA

Mayor Burnette moved Approval of Minutes to after Public Comments on Consent Agenda Items Only and Agenda Approval as requested by the City Clerk.

5. Public Comments on Consent Agenda Items Only

There were none.

6. Agenda Approval

Item #10 was pulled by the City Attorney for further discussion.

- 6a. Approval of Minutes
 - a. March 27, 2017 - City Council Workshop
 - b. March 28, 2017 - Regular City Council Meeting
- 7. Renewal of Employee Health, Dental and Life Insurance Plans
- 8. Approval of the Third Amendment to the Interlocal Agreement Between Ponce Inlet and the City of Port Orange for Billing Sewer Services
- 9. Addendum No. 9 to Quentin L. Hampton Associates, Inc. contract for site and subdivision inspection services
- 10. Subordination of SHIP Down Payment Assistance Second Mortgage - Lonitz

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

Item #10 – Subordination of SHIP Down Payment Assistance Second Mortgage - Lonitz

Margaret Roberts, City Attorney, advised Council of some changes in the loan terms but still recommends approval. The property owner is not receiving any proceeds from the refinance but costs are included in the loan. She will revise the agreement accordingly should Council agree.

Motion to approve Consent Agenda Item
#10 as presented by the City Attorney
was made by Vice Mayor Ford, and
Seconded by Councilman Bastian.
Motion carried unanimously by voice
vote.

CITIZEN PARTICIPATION (Agenda)

11. State of Our Community Health System - Ann Martorano, Chief Operating Officer & Administrator of Halifax Health Port Orange

Ms. Martorano discussed the health care system and upcoming plans for Halifax Health, specifically in Port Orange.

12. Update from the Port Orange Historical Trust

Mark Pierson, President of the Port Orange Historical Trust, was unable to attend and requested a continuance until May 2, 2017. Council agreed.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Billie Wheeler, County Council Member District 2, was present and introduced herself. She offered her assistance to Port Orange.

Jim Paytas, citizen, discussed an issue he has regarding a vacated easement in Pinnacle Park. He asked Council for their thoughts on leaving the right-of-way intact and utilizing the FPL easement instead. It will allow him to leave the vegetation. Mayor Burnette would lean toward approval but would like to hear from Community Development Staff first. FPL would need to agree to utilize their easement. Council agreed to consider the request with additional information to be provided.

Creekside Middle School Robotics Team asked Council for permission to use the Port Orange flag for national competition. They are here representing Spruce Creek High School SMASH Team as well. The high school is currently headed to Texas. Creekside will be in Arkansas in May. Council agreed to the usage.

COUNCIL COMMENTS

13. Comments/Concerns from Council Members

Councilman Tramont will not be in attendance at the May 16, 2017 Council meeting as he has been selected as the Volusia County Social Studies Teacher of the Year.

Vice Mayor Ford thanked the Port Orange/South Daytona Chamber of Commerce for their work meeting with businesses along Ridgewood Avenue. He asked for a workshop regarding traffic issues. He wants to discuss turn lanes, technology for synchronizing lights, and other items that Community Development has been working on. He wants citizens updated on the work being done by Staff. Council agreed to hold a workshop. Mr. Johansson believes it can be added to the May 30, 2017 workshop.

Councilman Bastian noticed a dead palm tree at the Eastport sign on Dunlawton Avenue. He asked what the status is of the Dunlawton and US 1 fountain lights. He said the landscaping looks good but would like to see the lights working.

Councilman Stiltner believes US 1 and east side businesses are starting to transition and are cleaning up their properties. He is happy to see the changes. Council wants Code Enforcement to continue their work in enforcing the clean-up.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

14. Motorcycle Safety Awareness Month

Mayor Burnette read a proclamation for Motorcycle Safety Awareness. Katherine Weldon, Leather & Lace Motorcycle Club, introduced herself and thanked Council for the proclamation each year.

15. Arbor Day Proclamation

Mayor Burnette read a proclamation for Arbor Day.

16. Actuarial Report from Dave Leonard - General Employees' Pension Plan

Dave Leonard, Actuary for the General Employees' Pension Plan, provided details from the annual Actuarial Report.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

17. Citizen Advisory Committee for TPO

Bobby Ball provided details from the recent meeting.

18. Second Reading - Ordinance No. 2017-7 - City Logo/Seal Ordinance Amendment

Mayor Burnette read Ordinance No. 2017-7.

ORDINANCE NO. 2017-7

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE I, SECTION 2-3 RELATED TO THE USE OF THE OFFICIAL CITY SEAL AND LOGO; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2017-7 on second reading was made by Councilman Bastian, and Seconded by Vice Mayor Ford. Motion carried unanimously by roll call vote.

19. Second Reading - Ordinance No. 2017-8 - Minor Chapter 50 Clean-up Amendment

Mayor Burnette read Ordinance No. 2017-8.

ORDINANCE NO. 2017-8

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 50, ARTICLE II, SECTION 50-32 REGARDING THE PROHIBITION OF ADMISSION CHARGES AT ATHLETIC FACILITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2017-8 on second reading was made by Councilman Bastian, and Seconded by Councilman Tramont. Motion carried unanimously by roll call vote.

20. First Reading - Ordinance No. 2017-10 – Rezoning/6080 Deerfeed Trail, Case No. 17-60000001

Mayor Burnette read Ordinance No. 2017-10.

ORDINANCE NO. 2017-10

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +/-0.77 ACRES LOCATED AT 6080 DEERFEED TRAIL FROM FLOOD PLAIN-CONSERVATION (F-C) TO RURAL RESIDENTIAL (RR); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2017-10 on first reading was made by Councilman Bastian, and Seconded by Vice Mayor Ford.

Penelope Cruz, Planner, provided details of the City's request. The properties zoning has not matched its usage for a few decades. This rezoning cleans that up.

Motion carried unanimously by roll call vote.

21. Final Plat & Plans and Subdivision Variance for the Woodhaven Subdivision, Phase I, North of Williamson Boulevard, east of I-95, Case No. 17-50000001

Motion to approve the final plat & plans and subdivision variance as presented was made by Vice Mayor Ford, and Seconded by Councilman Bastian.

Ms. Cruz explained the request and the improvements be constructed. There is a request for a variance to not require a trash compactor or dumpster. They will instead provide curbside garbage pickup. Staff recommends approval of the final plat and plans, as well as the subdivision variance.

Vice Mayor Ford received a request to table this item due to environmental concerns from a citizen. He did not see a reason to hold it up.

Motion carried unanimously by roll call vote.

REGULAR AGENDA

22. Change order CXT

Motion to approve the change order with CXT as presented was made by Vice Mayor Ford, and Seconded by Councilman Bastian.

Susan Lovallo, Parks & Recreation Director, provided details of the Change Order being requested. There was an error made by her to which she apologized.

Motion carried unanimously by roll call vote.

23. Bid Award ITB #17-17 Landscaping Improvements on State Road 5/US1/Ridgewood Avenue FM#437858-1-58-01

Motion to approve the bid award to C&L Landscape, Inc. in the amount of \$579,776 subject to final approval of the contract documents by the City Attorney was made by Councilman Bastian, and Seconded by Vice Mayor Ford.

Margaret Tomlinson, Construction and Engineering Manager, explained the details of the request to award the bid to C&L Landscape, Inc. This item and item #24 go hand in hand to enhance the area. Manager Johansson advised Council this project requires a transfer of funds from the City Center landscape project. That project will be put on hold until other funding can be determined. Councilman Stiltner would like to re-visit the discussion regarding City Center's landscaping to accomplish their goals around the complex.

Motion carried unanimously by roll call vote.

24. Addendum No. 10 to the Quentin L. Hampton Associates, Inc. contract for Construction Engineering and Inspection (CEI) services for the Landscaping Improvements on State Road 5/US 1/Ridgewood Avenue

Motion to approve Addendum No. 10 to QLHA for Construction Engineering and Inspection (CEI) Services for the landscaping improvements on State Road 5/US 1/Ridgewood Avenue in the amount of \$42,875 and upon appropriation authorize the City Manager and City Clerk to execute all contract documents was made by Councilman Bastian, and Seconded by Vice Mayor Ford. Motion carried unanimously by roll call vote.

25. Discussion on Lease Extension with ArtHaus Foundation, Inc. for the City-owned property located at 3840 Ridgewood Avenue

Manager Johansson requested Council direction as to the Lease Extension with ArtHaus Foundation, Inc. He explained the current Lease Agreement requires ArtHaus to maintain the grounds; however, City Staff has been handling that service. They do not currently pay any rent. He recommended Council follow the current contract based on a business decision. Staff will prepare a lease extension based on Council's direction.

Vice Mayor Ford believes culture and art is critical in the community and would like to continue to waive the rent and maintain the grounds for them. He would like help from ArtHaus with some community projects throughout the year.

Motion to waive the rent and continue maintaining the grounds was made by Vice Mayor Ford, and Seconded by Councilman Stiltner.

Councilman Tramont supports arts in education and supports the motion.

Councilman Bastian wants to see them stay but he's struggling with the free rent and maintenance.

Councilman Stiltner supported ArtHaus but asked them to promote City events, as well as other events along Ridgewood Avenue.

Laurie Ring, ArtHaus, discussed the start of the program and statistics from 2016.

Manager Johansson asked Council for authority to change the contract to read consist with the discussion and vote to waive the rent and grounds maintenance. Council agreed.

Motion to amend to include metrics and annual reports was made by Vice Mayor Ford, and Seconded by Councilman Stiltner. Motion carried unanimously by roll call vote.

Motion as amended carried unanimously by roll call vote.

26. City Manager's Evaluation

Council provided feedback to Manager Johansson regarding his performance during 2016. Goals for 2017 were presented. Council is pleased with the City Manager's job.

COMMENTS

27. City Attorney Comments

There was nothing further.

28. City Manager Comments

There was nothing further.

COUNCIL COMMITTEE REPORTS

29. City Council Committee Reports

- a) Port Orange/South Daytona Chamber of Commerce – Vice Mayor Ford discussed their visits up and down Ridgewood Avenue. They are planning a clean-up along Ridgewood Avenue.
- b) Roundtable of Elected Officials – Mayor Burnette reported on the recent meeting. They discussed roadway funds and taxes.
- c) ArtHaus – Discussed earlier in the meeting.

ADJOURNMENT: 9:07 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, CMC
City Clerk