

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
MARCH 7, 2017

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

Pledge of Allegiance

Invocation was given by Fr. Rick Burhans of Grace Episcopal 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

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

Items #8 & 11 were pulled for further discussion by Mayor Burnette.

- 6. Approval of Minutes
 - a. February 21, 2017 - Regular City Council Meeting
- 7. Extend Contract with Applied Aquatic Management Inc. for Aquatic Treatment Services.
- 8. FY 2018 Budget Calendar
- 9. Approval of Lease Agreement Between the City of Port Orange and Representative Ron DeSantis
- 10. Major Special Event Request – Winner's Pub – 5934 South Ridgewood Avenue
- 11. Volusia County EMS Municipal Transport Program with Application Interlocal Agreement and Business Associate Agreement
- 12. Resolution No. 17-10 - Budget Appropriations
- 13. Resolution No. 17-11 - LAP Agreements for construction of the McDonald Road sidewalk and the Victoria Gardens Boulevard sidewalk

14. Resolution No 17-12 - Ratifying Connection Fees for Rains Drive and Lighthouse Shores Sewer Extension Project located in Ponce Inlet
15. City Attorney's Report FY17 - First Quarter
16. Crime Report
17. Other Post Employment Benefits Actuarial Valuation Report

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

Item #8 – FY 2018 Budget Calendar

Mayor Burnette asked how Council should get their feedback during July 1-3rd. Mr. Johansson advised Council that they can email or call with any feedback they may have. They do not have to wait until July to provide feedback.

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

Item #11 - Volusia County EMS Municipal Transport Program with Application Interlocal Agreement and Business Associate Agreement

Ken Fustin, Fire Chief, provided information regarding the PLUS Program, which will allow the Port Orange Fire/Rescue to transport patients when EVAC is unavailable. Staff recommends approval. Anticipated costs and revenue was discussed. This program will provide an expanded level of service to the citizens and increases public safety. The average collection rate for neighboring cities is around 47%.

Councilman Stiltner asked how to stop people from calling 911 when they have a medical concern rather than an emergency. Chief Fustin doesn't have a solid answer but believes education can help. There are talks with doctors and the County to work on this issue. Councilman Stiltner is pleased with the phase approach.

Councilman Tramont has some concerns due to the costs involved. He wants to know where the need is and asked what the wait time is for calls. He's not inclined to pay twice for a County function. He wants to hold the County accountable rather than bail them out. Chief Fustin believes it is a partnership with the County rather than a bail out. He believes the citizens of Port Orange deserve the service.

Councilman Bastian said it has always been difficult to get the numbers requested from the County. He sees this as a service to the citizens and not a bail out of the County.

Vice Mayor Ford agreed with the idea to set some of the revenue aside for unfunded liability costs. He believes the service is needed, but also agreed with Councilman Tramont that it should be handled by the County. He supported the implementation by phases.

Mayor Burnette asked how the County assigns the calls to an ambulance. Chief Fustin explained the process for the dispatcher. Mayor Burnette believes there is a need. He would like to see Phase I run a little longer to get sufficient data.

Mayor Burnette asked for public comments.

Robert Reinhausen, 1425 Dexter Drive, suggested rejecting the PLUS Program and rather proposed taking full transport from the County.

Councilman Stiltner believes Port Orange Fire Rescue can do a better job than the County for our residents.

Discussion was held regarding a longer pilot program. Chief Fustin has a hard time with a longer pilot period because of the need to borrow an ambulance from sister cities. He offered to provide Council a monthly report of the program.

Council prefers to extend the pilot program from 90 days to 180 days. Mr. Johansson said staff can work to extend the request to borrow and can look into leasing an ambulance.

Motion to approve the draft Municipal Transport Agreement with Volusia County EMS; to delegate to the City Manager the authority to modify and approve the final interlocal agreement as agreed to by Volusia County County Manager for the purposes of EMS transport, subject to appropriation and any other requirements of City Council and to authorize the Mayor and City Clerk to execute the required documents was made by Councilman Bastian, and Seconded by Vice Mayor Ford.

Motion to amend the plan to a nine month pilot program rather than only three months was made by Vice Mayor Ford, and Seconded by Councilman Stiltner. Motion carried unanimously by roll call vote.

Main Motion as amended to 9-months
carried 4-1 by roll call vote with
Councilman Tramont voting no.

CITIZEN PARTICIPATION (AGENDA)

18. 866 Chickadee Drive - Nik Foster

Nik Foster, property owner, requested a waiver of the penalty portion of the outstanding utility bill on 866 Chickadee Drive. The property was vacant for seven years and he intends to do repairs. He asked for a waiver of the penalty fees only.

Motion to waive the penalty amount of
\$2,723.76 (all but \$1.00) was made by
Councilman Tramont, and Seconded by
Vice Mayor Ford. Motion carried
unanimously by roll call vote.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

There were none.

COUNCIL COMMENTS

19. Comments/Concerns from Council Members

Councilman Tramont thanked Giuseppe's Pizza for helping feed veterans recently in his classroom. He asked for the status of the batting cages at City Center fields. He would like them to be replaced and modernized.

Vice Mayor Ford is concerned with issues within Commonwealth and surrounding areas. He wants a more proactive code enforcement program in the area. He asked Council to think about ideas to strengthen the Code division. Mayor Burnette asked for a discussion item relating to the division.

Councilman Bastian asked that staff look at the property located just opposite of Farmbrook Road. There are several cars parking there every day that he doesn't believe should be there since it's not a parking lot.

Councilman Stiltner thanked Family Days and City Staff for the Spring Fling event. He would like a better plan of taking care of the grounds at City Center Complex.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

20. Port Orange South Daytona Chamber of Commerce Quarterly Report

Debbie Connors, President of the Chamber, provided the quarterly report to Council for the Port Orange/South Daytona Chamber of Commerce.

21. Report from KemperSports on the Cypress Head Golf

Bob Duquette, General Manager, provided details of the January 2017 financial report.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

22. Citizen Advisory Committee for TPO

This item will be brought back on March 28, 2017.

PUBLIC HEARING

23. First Reading - Ordinance No. 2017-5 – Cornerstone Grove PUD Master Development Agreement and Conceptual Development Plan, Case No. 16-40000007

Mayor Burnette read Ordinance No. 2017-5.

ORDINANCE NO. 2017-5

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING CORNERSTONE GROVE PLANNED UNIT DEVELOPMENT A RESIDENTIAL PUD MASTER DEVELOPMENT AGREEMENT (MDA) AND THE CONCEPTUAL DEVELOPMENT PLAN (CDP); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2017-5 on first reading was made by Councilman Bastian, and Seconded by Councilman Stiltner.

Tim Burman, Planning Manager, described the request for an MDA. There are no proposed deviations and the developer made changes as recommended by the Planning Commissioners. The streets will be public streets.

Vice Mayor Ford will not support the project because of the parking issues.

Councilman Tramont also expressed concerns with the parking.

Mayor Burnette believes the extra parking lots have addressed the parking concerns expressed.

James Stowers, General Counsel for Geosam Capital US, addressed Council's concerns regarding the parking.

Sarah Jones, citizen, is concerned that families with children will buy or rent in the complex and there's nothing for them to do.

Mr. Reinhausen would like to see Amber Lane extend through to Yorktowne Blvd. rather than Pham Road. He also suggested the developer be responsible for noise abatement.

Margaret Tisza, 3828 Bourbon Street, is concerned regarding traffic speeds on Yorktowne Blvd. She suggested having the speed limit lowered.

Mr. Stowers said there is a park designated for children and the Planning Commissioners requested Pham Road be extended.

Councilman Stiltner said there is also a City park across the street.

Motion carried 4-1 by roll call vote with
Vice Mayor Ford voting no.

REGULAR AGENDA

24. Discussion Regarding Lease with Smokey Hunt Club

Alan Rosen, Assistant City Manager, explained the current lease agreement with the Smokey Hunt Club and advised Council of a recent issue of the Smokey Hunt Club having permanent structures on the property in non-compliance with the lease. Mr. Rosen is working with the County to verify the structures are permanent. He also discussed the pricing of the leased lands. He asked Council to discuss and provide direction as to the lease agreement renewal; whether they want to continue to renew the lease with Smokey Hunt Club or go out to bid.

Steve Edgar, City's Forester, confirmed that there are no issues with sewage in the ground.

Council agreed to the recommendation to extend for one (1) year and then go out to bid if they come into compliance with the current issues.

Motion to approve a one (1) year
extension before submitting an RFP was
made by Vice Mayor Ford, and
Seconded by Councilman Stiltner.
Motion carried unanimously by voice
vote.

25. Financial Report - January 2017

Tracey Riehm, Finance Director, discussed the January 2017 financial report. Mayor Burnette asked for a quarterly report regarding the reimbursements from Hurricane Matthew. Mr. Johansson said Staff will provide same.

COMMENTS

26. City Attorney Comments

Margaret Roberts, City Attorney, asked Council to consider policy changes relating to fee waiver requests. She suggested Council also consider collecting interest when they consider waivers. She would like Council to consider criteria so Staff can apply their policy to save their time. Council will provide feedback to the City Attorney.

Ms. Roberts advised of an upcoming agenda item relating to economic incentives.

27. City Manager Comments

Mr. Johansson asked Council to consider cancelling the June 6, 2017 Council meeting as two Council Members will not be in attendance. Council agreed.

COUNCIL COMMITTEE REPORTS

28. City Council Committee Reports

- a. River to Sea TPO – Councilman Bastian was unable to attend due to Ethics Training.
- b. General Employees' Pension Plan – Councilman Stiltner will forward the minutes to Council.

ADJOURNMENT: 9:33 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, CMC
City Clerk