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

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Donald Burnette at 6:32 p.m.

Pledge of Allegiance

Invocation provided by Pastor Jeffrey Birch of Spruce Creek 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

<u>CONSENT AGENDA</u>

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

There were no items pulled from the Consent Agenda for further discussion. Margaret Roberts, City Attorney, advised Council that she will be discussing the process concerning License Agreements under the City Attorney Comments.

6. Approval of Minutes
   a. January 10, 2017 - Regular Council Meeting
   b. January 17, 2017 - Regular City Council Meeting
   c. January 24, 2017 - City Council Workshop
7. Bid Awards and Contract Items
   a. Award of RFSQ #16-33, Continuing Professional Surveying Services to CPH, Inc., Sliger & Associates, Inc. & Southeastern Surveying & Mapping
   b. Bid Award ITB #17-09 City Gateway Signage
   c. Award of ITB 16-31 for New and Refurbished Networking and Voice-over-IP Telephony Equipment to Network Craze Technologies and Extensys, Inc.
8. <u>Resolution No. 17-3</u> - Supplemental LAP Agreement McDonald Road Sidewalk

9. Resolution No. 17-4 - Budget Appropriation for LAP Agreement for North Spruce Creek Road Sidewalks (City Project OMI017)

10. Resolution No. 17-5 - Application to Release Conservation Easement – 3821 Woodbriar Trail

11. Resolution No. 17-6 - Supporting the Repeal of State Law Preemption on Smoking

Motion to approve the consent agenda was made by Councilman Bastian, and Seconded by Councilman Tramont. Motion carried unanimously by roll call vote.

CITIZEN PARTICIPATION (Agenda)

12. Hope Place - Forough Hosseini

Forough Hosseini discussed Hope Place and childhood poverty and homelessness. She encouraged Council to donate funds to Hope Place to help homeless children in Volusia County.

Discussion was held regarding the referrals, By-Laws, and cooperation from other agencies. The agency will work directly with Halifax Urban Ministries. Ms. Hosseini requested a donation of a half percent of the City's general fund amount.

Vice Mayor Ford suggested sending a letter to the County encouraging them to fund the program. He is concerned with relying on donations from the cities. Ms. Hosseini advised that her deal with the County pays for the capital renovations. She is asking for operating costs.

Mayor Burnette suggested the County submit a referendum for a specific amount from each property owner to ensure funding is available for years to come.

Mr. Johansson agreed with Vice Mayor Ford that the County should fund the operating costs. This is not a budgeted item currently for the City, nor is it in the CDBG Plan so CDBG funds cannot currently cover homelessness. Research is being done to see if changes can be made to the CDBG Plan. He advised of other agencies who will be coming to future Council meetings to discuss their programs of similar topic. Vice Mayor Ford requested a donation policy from Council.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Jim Cameron, Daytona Beach Chamber of Commerce, discussed Volusia Days and the proposed itinerary.

Richard Wood, citizen, discussed his concerns regarding the Clark Office Building located at 5114 Ridgewood Avenue and code violations at the property. He asked for compliance with the City's Codes. Vice Mayor Ford would like Staff to look into the repo lot behind the Clark Office Building as it doesn't appear to be meeting the City codes.

COUNCIL COMMENTS

13. Comments/Concerns from Council Members

Councilman Tramont congratulated Tom Troutman for 28 years of service to the City before his retirement. He has questions regarding the purchase of ambulances by the Fire Department; specifically, the costs and manpower involved. Mr. Johansson explained the details of the program. Staff is prepared to move forward in a calculated manner. Councilman Tramont asked if the sidewalk lights on Williamson Blvd. and Taylor Road are the City's responsibility. Mr. Johansson will check into it.

Vice Mayor Ford would like the repairs at the Causeway to occur faster than a year. He also asked for an update regarding the old police department building. Mr. Johansson provided details; specifically, that Staff has put the tenant on notice of the need to vacate and moving forward with the design.

Vice Mayor Ford would like to discuss the City Manager's performance before filling out an evaluation form. Mayor Burnette asked for a discussion item on February 21, 2017, with one-on-one discussions with the City Manager and Council Members, followed by the final evaluation at the March 21, 2017 Council meeting. Mr. Johansson will provide a list of successes and failures. Council agreed to the process.

Councilman Bastian asked when the Pickleball Courts will be opened. Susan Lovallo, Parks & Recreation Director, advised that the tennis courts at the Adult Center were transformed into eight (8) Pickleball Courts. It will open at 9:00 a.m. on February 24, 2017 with a Grand Opening Ceremony at 11:00 a.m.

Mayor Burnette is concerned with street sweeping and would like an update. Mr. Johansson will provide the update in the City Manager's Weekly Update.

PUBLIC HEARING

14. Second Reading - Ordinance No. 2017-1 - Urban Chicken Pilot Program

Mayor Burnette read Ordinance No. 2017-1.

ORDINANCE NO. 2017-1

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 10, SECTION 10-12 RELATED TO THE LIMITATION OF NUMBER OF ANIMALS; AND ESTABLISHING A NEW SECTION 10-20 IMPLEMENTING AN URBAN CHICKEN PILOT PROGRAM; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;

PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2017-1 on second reading was made by Councilman Bastian, and Seconded by Vice Mayor Ford.

Frank Alvarez, citizen, asked for clarification regarding the fence requirement. He received an estimate for over $6,000 to fence the entire yard. He asked for a change to clarify that the run needs to be fenced rather than the entire yard.

Motion carried 4-1 by roll call vote with Councilman Stiltner voting no.

15. Second Reading - Ordinance No. 2017-2 – Master Development Agreement and Conceptual Development Plan/PC-A Workplace Zoning District/Thompson Pump and Manufacturing Company, Inc.

Mayor Burnette read Ordinance No. 2017-2.

ORDINANCE NO. 2017-2

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN PC-A WORKPLACE ZONING DISTRICT FOR THOMPSON PUMP AND MANUFACTURING COMPANY, INC., FOR +/- 15 ACRES GENERALLY LOCATED ON THE EAST SIDE OF WILLIAMSON BOULEVARD, SOUTH OF HOCKNEY COURT; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2017-2 on second reading was made by Councilman Bastian, and Seconded by Vice Mayor Ford.

Councilman Bastian asked about the request to remove walk lights. Wayne Clark, Community Development Director, explained the issues with the Dunlawton Avenue lights. FDOT is requiring changes currently on Dunlawton Avenue. Grant money is being sought for street lights that light the streets and sidewalks.

Motion carried unanimously by roll call vote.

16. Development Order Modification to Final Subdivision Plat & Plans for Pinnacle, Phase II, Case No. 16-52000003

Motion to approve the modification as requested was made by Councilman Bastian, and Seconded by Vice Mayor Ford. Motion carried unanimously by roll call vote.

17. Replat of Tract H of the Westport Reserve Subdivision and Subdivision Plans for Phase 2C of the Westport Reserve Subdivision. Case No. 16-50000003

Motion to approve the replat as requested was made by Councilman Bastian, and Seconded by Vice Mayor Ford. Motion carried unanimously by roll call vote.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

18. Report from KemperSports on Cypress Head Golf Course

Bob Duquette, General Manager, provided details from the financial and evaluation reports for December 2016.

REGULAR AGENDA

19. Kemper Contract Options

Ms. Lovallo discussed the options Council has related to the golf course management company contract. The Golf Advisory Board recommended Option 2 – Renew the contract with KemperSports for three (3) years with another option to renew thereafter for two (2) additional years.

Vice Mayor Ford suggested a two (2) year renewal with another three (3) year option for renewal. He also would like to see an option for a notice to cancel the contract for cause.

John Cameron, citizen and Vice Chair of the Golf Advisory Board, supports the recommendation of Option 2.

Ted Noftall, citizen, is concerned with the finances of the golf course. He suggested Council consider leasing the golf course to a private, for-profit operator. He encouraged Council to not renew the contract with KemperSports.

Motion to approve Option 2 was made by Councilman Stiltner, and Seconded by Councilman Bastian.

Ms. Roberts suggested Council incorporate concerns with the contract into this renewal approval.

Motion to amend the motion to include contract amendments was made by Councilman Stiltner, and Seconded by Councilman Bastian.

Council requested the contract language be tightened up. Mr. Johansson asked Council to read the contract and provide specific feedback as to any changes they would like but specifically, as to the termination clause.

Motion to amend carried unanimously by voice vote.

Motion as amended carried unanimously by roll call vote.

20. Discussion on Public Information Officer Position

Mr. Johansson requested Council consider hiring a Public Information Officer based on the needs of the City Manager's Office. The duties are too much for current staffing levels. He wants to be proactive with Council and the public. Programming of pogTV has fallen through because of staffing levels. The costs can be handled this year but will be needed next year in the amount up to $45,000 depending on the Grants Manager's work on CDBG.

Councilman Tramont is concerned with the funding next year but understands the need. Further discussion was held regarding the duties of the PIO position.

Motion to approve the request for a Public Information Officer Position was made by Councilman Bastian, and Seconded by Councilman Stiltner. Motion carried 3-2 by roll call vote with Councilman Tramont and Vice Mayor Ford voting no.

21. Acceptance of Donation of Real Property at 4455 Spruce Creek Road

Ms. Roberts provided details of the offer. Mr. Johansson provided options for the use of the land.

Motion to accept the property donation as presented was made by Councilman Bastian, and Seconded by Vice Mayor Ford. Motion carried unanimously by roll call vote.

COMMENTS

22. City Attorney Comments
    a. Update report for Parks and Recreation charitable fund

Ms. Roberts discussed the public charity. She suggested a three (3) person board to begin. She asked if Council wants a member of Council on the Board. Council declined the requirement for a Council Member to serve.

Ms. Roberts explained their process on Paver License Agreements and asked for their consideration to continue with status quo or discuss any changes. Mayor Burnette believes Council needs a chance to review the memorandum provided by Ms. Roberts. Council agreed to maintain current practice until further discussion can be held.

23. City Manager Comments

Mr. Johansson asked Council's input regarding the agenda deadline being 12 days in advance. Council wants the 12 days in advance to continue.

COUNCIL COMMITTEE REPORTS

24. City Council Committee Reports
    a. YMCA – No representative any longer.
    b. River to Sea TPO – Councilman Bastian reported on the latest meeting. They are available and willing to help with applications.
    c. General Employees' Pension Plan – Councilman Stiltner reported on the recent meeting, specifically the rate of return.

ADJOURNMENT: 9:22 p.m.

Mayor Donald O. Burnette

Attest:

Robin Fenwick, CMC
City Clerk