

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
FEBRUARY 2, 2016

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

Pledge of Allegiance

Invocation provided by Rev. Bill Wassner of Port Orange United Church of Christ

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

Rules of Procedure as approved by City Council on December 2, 2014, specifically page 3, portions of letter (e) and #9 (a-e) were read by Robin Fenwick, City Clerk.

AGENDA APPROVAL

Item #13 was pulled by Councilman Ford for further discussion.

Motion to approve agenda as amended
was made by Councilman Burnette, and
Seconded by Councilman Stiltner.
Motion carried unanimously by roll call
vote.

PUBLIC HEARING

5. Resolution No. 16-5 - 16-1 Comprehensive Plan Amendment/Martin Road

Mayor Green read Resolution No. 16-5.

RESOLUTION NO. 16-5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT
ORANGE, VOLUSIA COUNTY, FLORIDA, ACCEPTING

PROPOSED AMENDMENTS TO THE CITY OF PORT ORANGE
COMPREHENSIVE PLAN AND AUTHORIZING SUBMITTAL TO
THE STATE LAND PLANNING AND OTHER AGENCIES; AND
PROVIDING AN EFFECTIVE DATE.

Motion to adopt Resolution No. 16-5
was made by Councilman Burnette, and
Seconded by Councilman Stiltner.

Penny Cruz, Planner, discussed the amendment to exclude Martin Road as a collector road through a residential area.

Motion carried unanimously by roll call
vote.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

6. FDEP Public Utilities Production Award

Andy Neff, Public Utilities Director, presented the 2015 Plant Operations Excellence Award to his Staff from FDEP. Council thanked Staff for their hard work.

7. Reports from Kemper Sports Management regarding Cypress Head Golf Course

Bob Duquette, General Manager, provided the monthly report for December 2015. Mayor Green asked him to tighten up on the expenses. Councilman Ford hopes to see an increase because of the renovations. Councilman Burnette agreed with Mayor Green.

Ted Nofall, citizen, addressed Council regarding his concerns with the reports. He doesn't believe the course is reflecting accurate verbal reports based on the written reports. He encouraged Council to sell the golf course.

Motion to accept the report was made
by Councilman Burnette, and Seconded
by Councilman Stiltner. Motion carried
unanimously by voice vote.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Mr. Nofall spoke regarding his concerns with the pension debt.

Jim Schultz, citizen, addressed Council regarding water issues in Flint, MI.

Maggie LeMay, citizen, addressed Council regarding homelessness and Safe Harbor. She asked Council to work with the County and Daytona Beach to implement Safe Harbor.

COUNCIL COMMENTS

8. Comments/Concerns from Council Members

Councilman Ford discussed the east side of the City. He asked for Council's support for a committee of those interested in the Ridgewood Corridor to discuss rebuilding the area.

Councilman Burnette asked that Staff look into repairs of the sprinklers on Dunlawton Avenue. He asked to invite the actuaries to present their reports to Council in the coming months.

Councilman Stiltner thanked the YMCA and Brendan Galbreath of Aunt Catfish's Restaurant for their work in the community. Mayor Green thanked City Staff for their work on the events as well.

Mayor Green said Council agrees to participate in the homelessness issue but they will support a plan that has a return.

CONSENT AGENDA

9. Approval of Minutes

- a. January 19, 2016 - Regular City Council Meeting
- b. January 26, 2016 - Council Workshop

10. Resolution No. 16-8 - Budget Appropriation

11. Resolution No. 16-10 - Authorizing an Escrow Agreement with Bank of New York Mellon

12. Ratify and confirm the decision of the City Manager for a time extension for CDM-Smith Inc.

13. Ratify and confirm the decision of the City Manager for a time extension for Quentin L. Hampton and Associates

14. City Attorney's Report FY-16 First Quarter

Motion to approve Consent Agenda was approved by Councilman Burnette, and Seconded by Councilman Stiltner.
Motion carried unanimously by roll call vote.

Item #13 – Ratify and confirm the decision of the City Manager for a time extension for Quentin L. Hampton and Associates

Councilman Ford asked if the pump station is on schedule. Mr. Neff said there is no issue regarding the time. The contract is in substantial completion. Staff is working through a punch list before it is complete. The facility is working and we are in compliance with the State. He is communicating with the State through the Consent Order.

Motion to approve item #13 was made by Councilman Ford, and Seconded by Councilman Stiltner. Motion carried unanimously by roll call vote.

REGULAR AGENDA

15. Resolution No. 16-9 - Grant Acceptance St. Johns River Water Management District: White Acres Improvements

Mayor Green read Resolution No. 16-9.

RESOLUTION NO. 16-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A ST. JOHNS RIVER WATER MANAGEMENT DISTRICT COST-SHARE GRANT TO CONSTRUCT A WASTEWATER SYSTEM AND FILL DITCHES WITH PIPE AND MINOR SWALES FOR MINOR STORMWATER TREATMENT IN THE LOW AND MODERATE INCOME WHITE ACRES PROJECT AREA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AGREEMENTS OR CONTRACTS; PROVIDING FOR MATCHING FUND CONTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 16-9 was approved by Councilman Burnette, and Seconded by Councilman Stiltner.

Councilman Ford asked about the funding of the project. Kent Donahue, PIO, said this is the first of three grants for the project. There will be a match to this grant.

Mayor Green believes the homeowners need to contribute as their property values will rise.

Mike Gardner, citizen, also asked about the funding of this project. This agenda item doesn't match what was discussed at the workshop. Tracey Riehm, Finance Director, confirmed the amount of commitment to St. Johns Water Management District. Margaret Roberts, City Attorney, said the other grants will offset the City's portion.

Motion carried unanimously by roll call vote.

16. First Reading - Ordinance No. 2015-46 - Amending Section 2-241- Permitted Investments

Mayor Green read Ordinance No. 2015-46.

ORDINANCE NO. 2015-46

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CITY OF PORT ORANGE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, SECTION 2-241, RELATING TO PERMITTED INVESTMENTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2015-46 on first reading was approved by Councilman Burnette, and Seconded by Councilman Stiltner. Motion carried unanimously by roll call vote.

17. Contract for Sale of Yorktowne Property, Lot 8 Port Orange Gateway Center Replat

Motion to approve the sale of Yorktowne Property was made by Councilman Burnette, and Seconded by Councilman Stiltner.

Mayor Green asked to research the extension of Yorktowne Blvd.

Councilman Burnette asked that the monies be used for infrastructure and drainage issues.

Motion carried unanimously by roll call vote.

18. CDM Smith, Inc. "Stormwater Modeling for the Nova/Halifax Canal" Final Report Presentation
Mr. Neff introduced Mr. Schmitt to discuss the results of the CDM Smith, Inc. report relating to the berm at Dunlawton Avenue. CDM Smith does not recommend the berm be built. They are the third professional engineering company to not recommend the

berm be built. Mr. Neff asked Council to decide on the building of the berm so Staff can advise the District regarding the permit. The grant will also need to be closed out based on Council's decision.

Councilman Ford is concerned with the report coming out on Thursday before the meeting and he has a lot of questions.

Mike Schmitt, CDM Smith, Inc., discussed background and overview of their assignment, as well as the history of the flood area, stormwater modeling, and their results. Mr. Schmitt provided alternate options to reduce flooding to the Dunlawton Avenue area. Raising Oak Street or a berm at Oak Street would provide relief of flooding. He suggested pumping water from Sugar Mill Apts. pond to Halifax River. Costing was not a part of their study.

Council asked questions relating to the recommendations from Mr. Schmitt and storage of water upstream to prevent too much from flowing downstream.

Councilman Ford asked for a separate meeting with the engineers regarding his questions and Council's options.

Mayor Green believes the permits need to be closed out and Council needs to move forward with corrective actions that will work.

Mr. Gardner discussed his concerns with the failed project and the berm issue.

Mayor Green reminded that the original design was never a promise it would not flood again. It was to mitigate the flooding issues of the area.

Mr. Nofall asked Council to discuss the modification of the plans. He doesn't believe the report is clear as to the flooding upstream. Mr. Neff advised Council of the steps to close out the permit.

Mr. Nofall asked what happens to the flood waters from the canal. Andrew Giannini, Quentin L. Hampton, explained his analysis of the flood waters and the effect on the permit. The canal water does not affect the permit.

Councilmen Stiltner and Burnette agreed to close the permit, not build the berm, and move forward with options to alleviate the flooding.

Councilman Ford is not ready to vote and would like to meet with the engineers.

Council agreed to a Special Meeting on Tuesday, February 9, 2016 at 6:30 p.m. subject to CDM Smith's availability.

COMMENTS

19. City Attorney Comments

There was nothing further.

20. City Manager Comments

Mr. Johansson reminded citizens of the citizen survey closing on Friday, February 5, 2016.

COUNCIL COMMITTEE REPORTS

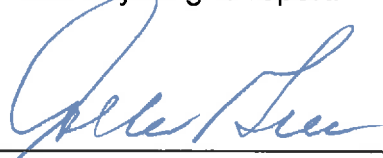
21. City Council Committee Reports

a. River to Sea TPO – Report provided by Councilman Ford. He asked for Council's approval to meet with representatives regarding the Ridgewood Corridor. There was no objection from Council.

b. General Employees' Pension Plan – Councilman Stiltner didn't have anything to report.

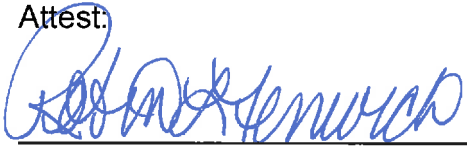
c. YMCA – Councilman Stiltner didn't have anything to report.

ADJOURNMENT: 8:17 p.m.



Mayor Allen Green

Attest:



Robin Fenwick, CMC
City Clerk