

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
MARCH 1, 2015 ~~2015~~ 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

Silent Invocation

Roll Call:	Present:	Councilman Bob Ford Councilman Donald Burnette Councilman Scott Stiltner Vice Mayor Drew Bastian Mayor Allen Green
	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

Mayor Green asked that the agenda be amended to include the report from KemperSports that was inadvertently omitted.

Motion to add KemperSports to the agenda was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

Item(s) pulled: #13

Motion to approve the agenda as amended was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

Report from KemperSports on Cypress Head Golf Course

Bob Duquette, General Manager, provided details of the financial report from January 2016 and highlighted some of February 2016's numbers which look better than January. They are working on programs for youth.

Councilman Ford suggested analyzing the pro shop. The Board will also be recommending to Council that an advisory board be established.

Vice Mayor Bastian asked about the possibility of fling golf. Mr. Duquette said they are looking into it and they are bringing back foot golf as well once the time changes.

Mayor Green asked about glow golfing. Mr. Duquette is looking into it as well.

5. Youth Advisory Board Appointment

Motion to nominate Michael Carl to the Youth Advisory Board was made by Councilman Burnette, and Seconded by Councilman Ford. Motion carried unanimously by voice vote.

6. Youth Advisory Board Report

Matthew Burnette, Chairman, provided details of the most recent Youth Advisory Board meetings. They will begin the Adopt A Road program soon. The Board recommended renaming the Coraci Sports Complex after Zachary Siegfried. Zachary loved baseball and the Youth Advisory Board would like to honor him. The Board's recommendation will go before the Parks & Recreation Advisory Board prior to the Council voting on same.

CITIZEN PARTICIPATION (Agenda)

7. Request by R. Anthony Tobie to waive the application and advertisement fees for a variance application and the fee for an after the fact building permit for a recently constructed 6' fence.

Anthony Tobie apologized for not pulling a permit prior to building a fence around his yard. He asked for a waiver of the fines.

Mayor Green asked what would have happened had it been done correctly.

Tim Burman, Planner, advised that a variance would have been needed to approve a six-foot fence at his residence, which would need to go before the Planning Commission and be advertised.

Councilman Stiltner asked if there is a visual issue with the fence. Mr. Burman said no.

Vice Mayor Bastian would be inclined to help.

Councilman Burnette agreed to providing help. He believes there should be a penalty though.

Councilman Ford is not opposed to a variance in this situation and would agree to a reduction in fines.

Wayne Clark, Community Development Director, explained that there are fixed costs to the City and suggested they consider the variance application and legal advertisements costs be paid by the applicant with the other indirect costs being waived.

Motion was made by Vice Mayor Bastian to require payment of the \$50 application fee as well as the total costs of legal advertisements, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

8. Tavern at Cypress Head

Tom Smith, Managing Member, provided Council with details of what is new at the Tavern.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Ted Nofall, citizen, addressed Council regarding the stormwater ordinance and the fee generated from that ordinance. He asked if there is an accounting as to where the fee is going when collected. He also asked regarding the \$33 refund mentioned in the ordinance. Mayor Green asked the City Manager to look into it as time allows.

COUNCIL COMMENTS

9. Comments/Concerns from Council Members

Councilman Ford recommended using reserves to complete the Ryanwood bridge. He also suggested moving forward with the Pineland Avenue drainage ditch pipe repairs.

Motion made to fast track both projects as discussed was made by Councilman Ford.

Mayor Green would like to see the report from Pegasus showing the project rankings before Council makes a decision on which projects should move forward first.

Seconded by Vice Mayor Bastian.

Councilman Burnette said there is already funding planned in next year's CIP for Phase II anyway. He supported the projects moving forward now rather than waiting.

Councilman Stiltner would like to see a purchase of the Gradall machine to get the maintenance completed.

Above Motion amended to include the purchase of a Gradall machine was made by Councilman Ford, and
Seconded by Vice Mayor Bastian.

Mr. Johansson advised that he has directed the Public Works Staff to focus 90% of their work on District 1. He will be asking for money from reserves to fund flooding issues as directed by Council. He doesn't object to this move.

Mayor Green cautioned all that there has been no natural disaster to dip into the reserves.

Motion carried 4-1, with Mayor Green voting no.

Councilman Burnette asked if Code can site the County for the high weeds and grass on Clyde Morris Blvd.

Vice Mayor Bastian would like to see the neighborhood walls along Central Park Blvd. cleaned and painted. He also reminded all of Bike Week over the next two weeks.

Councilman Stiltner reminded all of the Family Days Spring Event this coming weekend.

CONSENT AGENDA

10. Approval of Minutes
 - a. February 16, 2016 - Regular City Council Meeting
 - b. February 23, 2016 - Council Workshop
11. Major Special Event Request - First Turn Steakhouse & Lounge, 5236 S. Ridgewood Ave., 5204 S. Ridgewood Ave., 5164 S. Ridgewood Ave.

12. Major Special Event Request - The Last Resort Bar at 5812 South Ridgewood Ave., Best Cars - 5816 S. Ridgewood Ave., and Hunt for Cars - 5796 S. Ridgewood Ave.

13. FY 16-17 Budget Calendar

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

Item #13 – FY 16-17 Budget Calendar

Mr. Nofall disagreed with the budget calendar. He doesn't believe it provides Council with enough time to review it. He wants to see a line item budget.

Council would like a transparent budget with specific details presented.

Motion to approve item #13 was made by Councilman Burnette, and Seconded by Vice Mayor Bastian. Motion carried unanimously by roll call vote.

REGULAR AGENDA

14. Parks & Recreation Code Discussion

Susan Lovallo, Parks & Recreation Director, discussed the need for the proposed code changes. Council supported the changes as presented.

Ms. Lovallo asked for direction on the non-resident fee collection. The requirements regarding the ECHO funded fields do not allow for the differential fees. Council agreed to discontinue the non-resident differential fee.

Dianne Gardner, citizen, is not pleased with the State Law regarding the smoking in parks. She asked that the lobbyist take up the issue with the legislators.

15. First Reading - Ordinance No. 2016-2 - Update Chapter 50 Code of Ordinances - Parks & Recreation

Mayor Green read Ordinance No. 2016-2.

ORDINANCE NO. 2016-2

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 50, ARTICLE I,

SECTION 50-1 PROVIDING FOR DEFINITIONS; AMENDING SECTION 50-2 RELATING TO USE OF PARK PROPERTY AND EQUIPMENT; AMENDING SECTION 50-5 RELATING TO ANIMAL REGULATIONS AT RECREATIONAL FACILITIES; CREATING A NEW SECTION 50-6 ESTABLISHING PARK HOURS; AND SECTION 50-7 REGULATING CAMPING; AMENDING ARTICLE II, SECTION 50-31 RELATING TO PARKS AND RECREATION FACILITY USE; SECTION 50-32 RELATING TO ATHLETIC FACILITY USE; SECTION 50-33 RELATING TO PARKS AND RECREATION PARTNERS APPLICATIONS AND REVIEW; SECTION 50-38 RELATING TO NON-RESIDENT FEES; REPEALING SECTION 50-34 RELATING TO FACILITY USE CATEGORIES; SECTION 50-35 RELATING TO RENTAL FEES FOR ATHLETIC FACILITIES; SECTION 50-36 COMMUNITY CENTER RULES OF USE; SECTION 50-37 RELATING TO ATHLETIC FACILITY RULES OF USE; SECTION 50-39 RELATING TO KENNETH W. PARKER AMPHITHEATER AND COMMUNITY CENTERS USE POLICIES; AND SECTION 50-40 RELATED TO PROHIBITING TOBACCO USE AT YOUTH ATHLETIC ACTIVITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2016-2 on first reading was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Ms. Lovallo asked that Section 50-38 be stricken pursuant to the direction to discontinue the non-resident fees.

Amended motion to approve with Section 50-38 stricken was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Newton White, citizen, asked Council to consider non-smoking to include vaping as well when discussed with the lobbyist.

Motion carried unanimously by roll call vote.

16. City Attorney Comments

There were no further comments by the City Attorney.

17. City Manager Comments

Mr. Johansson announced the Shade Meeting scheduled for Tuesday, March 8, 2016 at 4:30 p.m. in the City Manager's Conference Room.

COUNCIL COMMITTEE REPORTS

18. City Council Committee Reports

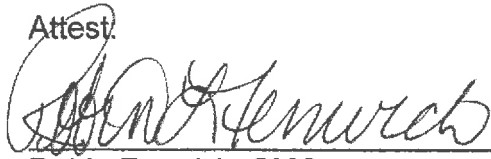
- a. River to Sea TPO – Councilman Ford reported on the annual audit that was reviewed by the committee.
- b. General Employee's Pension Plan – Councilman Stiltner reported on the recent meetings.
- c. YMCA – Councilman Stiltner reported that there is some restructuring at the Volusia/Flagler YMCA. Lauren Kennedy is temporarily in charge and will meet with each board member.

ADJOURNMENT: 7:59 p.m.



Mayor Allen Green

Attest:



Robin Fenwick, CMC
City Clerk