REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
NOVEMBER 1, 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 was given by Pastor Sheila Turner of A Touch of HIS Hem Ministries

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

Portions of the Rules of Procedure as approved by City Council on May 3, 2016 were read by Robin Fenwick, City Clerk.

AGENDA APPROVAL

Mayor Green asked to amend the agenda to include a report from the SBA Representative.

> Motion to approve agenda amendment to add the SBA report was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

Items #9(a), 9(c), and 9(j) were pulled for further discussion.

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

Adrianne Laneave, Public Affairs Specialist, discussed the services of the Small Business Association in the wake of Hurricane Matthew.

Debbie Connors, Port Orange/South Daytona Chamber of Commerce, introduced the Leadership Class of 2016.

SPECIAL AWARDS, REPORTS, RECOGNITION, AND PROCLAMATIONS

5. Report from KemperSports on Cypress Head Golf Course

Bob Duquette, General Manager, provided details of the course evaluation and financial reports as provided in writing.

CITIZEN PARTICIPATION (Agenda)

6. Update from Jim Terry, Halifax Health Child and Adolescent Behavioral Services Service Line Administrator

Jim Terry provided an update regarding the services provided by Halifax Health.

CITIZEN PARTICIPATION (Non-Agenda - 15 minutes)

Ted Noftall, citizen, expressed his disappointment with the storm debris clean up.

COUNCIL COMMENTS

7. Comments/Concerns from Council Members

Councilman Stiltner addressed the issue regarding the storm debris clean up. There were eight contractors who submitted a bid that was awarded by Council in July. The bidding requirements included the FEMA requirements.

Councilman Stiltner doesn't believe it would be right to move existing groups to fit the Port Orange Stallions into the fields. Councilman Stiltner reminded all of the Veteran's Ceremony on November 11, 2016 at 10 a.m. at Memorial Park.

Vice Mayor Bastian advised of a post on social media alleging the City Manager and three or more Council Members met in a secret meeting. He advised that he is not aware of the Council and City Manager did not meet in secret. None of the Council Members are aware of any secret meetings with the City Manager. The City Attorney and the City Manager are also not aware of any violation as alleged on social media.

Councilman Ford asked Staff to look into the debris removal plan and make an after action report for improvements in the future. He wants to work with FEMA. He asked for a report regarding the audit being done on the drainage accounts.

Mayor Green asked citizens to be patient with the storm debris removal. FEMA requirements are being followed in order to obtain the most reimbursement as possible.

CONSENT AGENDA

8. Approval of Minutes
    a. October 18, 2016 - Regular City Council Meeting
    b. October 25, 2016 - Joint Special Meeting/Workshop with Parks & Recreation Advisory Board
9. Bid Awards and Contract Items
    a. Waiver of Bid Irregularity and Award of Bid No. 16-30 Ryanwood Drive Culvert Replacement to Villages Construction, Inc.
    b. Award of Bid #16-29 Summer Trees Sidewalk Extension to Sparks Concrete LLC
    c. Task Authorization No. 5 to Dredging and Marine Consultants for Post Design Engineering Services for Riverwalk Park Phase 1B
    d. Change Order No. 1to Piggyback Agreement with USA Services of Florida, Inc.
    e. Award Bid #16-34 Pineland Avenue and Niver Street Stormwater Improvements
    f. Extension and Amendment of Wrecker Service Agreement with Universal Towing, Inc.
    g. Award of RFSQ #16-32 - Continuing Professional Engineering Services
    h. FY17 Expenditure Authorization for SunGard Public Sector, Inc.
    i. FY17 Expenditure Authorization for AT&T Mobility Wireless Communications Services & Equipment
    j. Task Authorization #5 to Traffic Engineering Data Solutions, Inc. (TEDS) for design of the N. Spruce Creek Road sidewalks
    k. FY17 Expenditure Authority for Brown and Brown for Property, Inland Marine, Crime, Excess Crime, and Equipment Breakdown coverage.
10. Resolution No. 16-57 - Park Naming Policy
11. Resolution No. 16-72 - Budget Appropriation
12. Resolution No. 16-73 - LAP Agreement for design of the N. Spruce Creek Road Sidewalks
13. Major Special Event Request – Christmas Tree Sales at Dunlawton Square Shopping Center located at 3813 Nova Road
14. Ratify FY16 Department expenditures in excess of $25,000

Ms. Roberts asked that 9(f) be pulled for further discussion.

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

Item #9(a) - Waiver of Bid Irregularity and Award of Bid No. 16-30 Ryanwood Drive Culvert Replacement to Villages Construction, Inc.

Mr. Noftall asked where the outlet is when the culvert is full. Andrew Giannini, Engineer, advised there is an easement to the backside of Ryanwood to Herbert Street. The property owners have been advised. Ruth Landau, citizen, has spoken with Mr. Giannini and has no issues with the project as presented.

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

Item #9(c) - Task Authorization No. 5 to Dredging and Marine Consultants for Post Design Engineering Services for Riverwalk Park Phase 1B

Councilman Ford asked for the numbers regarding design fees and engineering fees. Wayne Clark, Community Development Director, said the design fees are within 7.5% range.

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

Item #9(f) - Extension and Amendment of Wrecker Service Agreement with Universal Towing, Inc.

Ms. Roberts advised that the agreement permits an extension of one-year rather than six (6) months.

Motion to approve the extension for one-year was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

Item #9(j) - Task Authorization #5 to Traffic Engineering Data Solutions, Inc. (TEDS) for design of the N. Spruce Creek Road sidewalks

Councilman Ford doesn't like the design fee of 13% for sidewalks. Mr. Clark advised that this is a LAP Agreement and is funds that come from outside agencies. The City is responsible for only $8,000 of the approximately $71,000. He said it's a narrow area and all State requirements need to be met to receive the grants.

Motion to approve was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried 4-1 by roll call vote with Councilman Ford voting no.

REGULAR AGENDA

15. Resolution No. 16-74 - Utility Fee Adjustments for Hurricane Matthew Damage

Ms. Roberts provided details of changes to the Resolution as requested by Staff.

Mayor Green read Resolution No. 16-74.

RESOLUTION NO. 16-74

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AUTHORIZING ADJUSTMENTS FOR UTILITY CHARGES INCLUDING POTABLE WATER, SANTIARY SEWER AND RECLAIMED WATER CHARGES INCURRED BETWEEN OCTOBER 6, 2016 AND ON OR ABOUT NOVEMBER 11, 2016 AS A RESULT OF DAMAGES TO PRIVATE PROPERTY FROM HURRICANE MATTHEW; AUTHORIZING THE ADJUSTMENTS IN A TOTAL AMOUNT NOT TO EXCEED THE CITY REQUIREMENTS FOR THE DEBT SERVICE RATIO FOR ALL OUTSTANDING BOND COVENANTS RELATING THERETO; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 16-74 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

16. Piggyback Agreement with Quentin L. Hampton Associates, Inc. for Engineering Services for a Stormwater Master Plan, Phase 1a

Motion to approve was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Mr. Noftall asked what is being piggybacked. Mr. Johansson advised that the item allows for piggybacking the hourly rate of Quentin L. Hampton Associates, Inc. It was competitively bid by the City of Cocoa. He brought this to Council due to the extensive discussions by Council in the past; however, Council has authorized the City Manager to approve piggyback agreements.

Mike Gardner, citizen, believes the City has a master plan in utilities. Mr. Johansson advised that this is for stormwater, not sewer or water treatment and there is no master plan that accurately reflects what the City currently has and where it needs to go in the future.

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

17. Piggyback Agreement with Pegasus Engineering for Engineering Services for Stormwater Master Plan, Phase 1b

Motion to approve was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Councilman Ford believes the use of an outside company is not the best plan. He would prefer to see it done in-house. He would like it to include input from employees.

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

<u>COMMENTS</u>

18. City Attorney Comments
    - Update and approval of FEMA request regarding debris removal from private streets/drives

Ms. Roberts provided a draft document for review prior to the November 15, 2016 Council meeting. The private roads must be mapped and an inspection is needed.

19. City Manager Comments

Mr. Johansson recommended Council consider not dealing with the FEMA requirements for reimbursement for the private road debris pick up because of all of the "red-tape" FEMA is requiring. Council agreed to move forward without FEMA reimbursement if needed. Councilman Ford suggested hiring a non-FEMA contractor to pick up on the private roads. Mr. Johansson will investigate that option, as well as others.

Motion to authorize the City Manager to take all necessary actions to keep additional trucks on the road if another contractor has resources available was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

COUNCIL COMMITIEE REPORTS

20. City Council Committee Reports
    a. River to Sea TPO – Councilman Ford reported on the hold on the Dunlawton Avenue streetlight grant due to rule changes. The project is being re-worked and will be resubmitted as required without delaying the project. Mr. Johansson said staff is looking for clarification on the rule change as well. Streetlights will be maintained by FDOT.
    b. General Employees' Pension Plan – Councilman Stiltner reported on the end of year rate of approximately 10%.
    c. YMCA – Councilman Stiltner was unable to attend the last meeting.

ADJOURNMENT: 8:03 p.m.

Mayor Allen Green

Attest:

Robin Fenwick, CMC
City Clerk