

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
MAY 19, 2015

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: David Harden, Interim City Manager
 Margaret T. Roberts, City Attorney
 Robin Fenwick, City Clerk

Motion to move items #10 and 11 to the beginning of the agenda was made by Councilman Burnette, and Seconded by Vice Mayor Bastian. Motion carried unanimously by voice vote.

B. PUBLIC HEARING

4. Code Changes from Purchasing

- a. Second Reading - Ordinance No. 2015-16 - Amending City Code
Section 2-262 - Purchase and sales procedures and Establishing
Section 2-275, Local Preference

Mayor Green read Ordinance No. 2015-16.

ORDINANCE NO. 2015-16

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 2, SECTION 2-262 OF THE CODE OF ORDINANCES REGARDING LOCAL PURCHASING PREFERENCE; AMENDING CHAPTER 2, ARTICLE VI, DIVISION 2 TO ESTABLISH SECTION 2-275 REGARDING LOCAL PURCHASING PREFERENCE;

PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-16
as amended on second reading was
made by Vice Mayor Bastian and
Seconded by Councilman Burnette.
Motion carried unanimously by roll call
vote after no comments.

- b. Second Reading - Ordinance No. 2015-17 - Amending City Code
Section 2-265 - Waiver of Irregularities

Mayor Green read Ordinance No. 2015-17.

ORDINANCE NO. 2015-17

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA, AMENDING THE CITY CODE CHAPTER 2,
ARTICLE VI, DIVISION 2, SECTION 2-265, RELATING TO
WAIVER OF IRREGULARITIES; PROVIDING FOR REPEAL OF
CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-17
on second reading was made by Vice
Mayor Bastian and Seconded by
Councilman Burnette. Motion carried
unanimously by roll call vote after no
comments.

- c. Second Reading - Ordinance No. 2015-19 - Amending City Code
Section 2-271 - Emergency Purchases

Mayor Green read Ordinance No. 2015-19.

ORDINANCE NO. 2015-19

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA AMENDING THE CITY CODE CHAPTER 2,
ARTICLE VI, DIVISION 2, SECTION 2-271, RELATING TO
EMERGENCY PURCHASES; PROVIDING FOR REPEAL OF
CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-19 on second reading was made by Vice Mayor Bastian and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote after no public comments.

5. First Reading - Ordinance No. 2015-11 – Rezoning, Master Development Agreement (MDA) and Conceptual Development Plan (CDP) for Palmetto Pointe Marketplace PCD, southeast corner, Clyde Morris Blvd. and Madeline Ave. (Continued from April 7, 2015)

Mayor Green read Ordinance No. 2015-11.

ORDINANCE NO. 2015-11

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA REZONING PROPERTY CONSISTING OF APPROXIMATELY 17.7 ACRES LOCATED AT THE SOUTHEAST CORNER OF CLYDE MORRIS BOULEVARD AND MADELINE AVENUE FROM PUB (PLANNED UNIT DEVELOPMENT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT) AND APPROVING A MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR THE PALMETTO POINTE MARKETPLACE PCD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-11 on first reading was made by Vice Mayor Bastian and Seconded by Councilman Burnette.

Tim Burman, Planner, provided details of the rezoning request. The proposed plans are consistent with the concept plan.

Councilman Ford received calls of concern from neighbors regarding the traffic that will be caused in Southwinds Subdivision. He also heard complaints regarding noise concerns. Mr. Burman explained there is an eight foot wall to buffer the noise, as well as comply with the City's noise ordinance.

Councilman Burnette is concerned with the exit onto Tradewinds Lane through Southwinds. He'd like to see it as a right turn only.

Vice Mayor Bastian had concerns with the buffering on Madeline Avenue.

Councilman Stiltner also received calls from citizens.

Nectaria Chakas, Attorney for the developer, provided details of the proposed development. This property is zoned commercial. She advised that the developer will plant 37 additional trees in the buffer areas because of the fire on the property. They will also plant hedges and other understory because of what was destroyed in the fire. Ms. Chakas discussed property values, environmental concerns, and traffic issues.

Councilman Ford is concerned with access into the neighborhood. He'd like it to be a right turn only. Parker Mychenberg, Mychenberg and Associates, addressed the traffic issues into the neighborhood. The traffic study shows the effects on Madeline Avenue to be one more car every two minutes.

Councilman Burnette doesn't see the reason for the left turn onto Madeline Avenue. Mr. Mychenberg said the left turn signal is not warranted according to the County but the applicant is willing to pay for it if the City can help them get approval from the County. The proposed tenant is requiring full access. He asked Council to support it. Councilman Burnette believes people will use Tradewinds Lane because there is no turn lane. He doesn't want to encourage people to cut through the neighborhood. Councilman Burnette is pleased with the plan for the buffers after the fire. Mr. Mychenburg suggested signage to control the exiting from the center.

Vice Mayor Bastian asked for details of the sidewalk and lighting the sidewalks. He would like lights included in the agreement.

Steve Edgar, Forester, advised that the understory and brush will come back quickly.

Councilman Stiltner received calls in support of this project versus others that were approved previously. He doesn't believe cut through traffic will be an issue through the neighborhood.

Brian Spies, citizen, does not support the project because of the traffic in the neighborhood.

Sara Jones, citizen, is concerned with the Walmart store being opened 24 hours and an empty shopping center across the street. She believes Walmart should occupy the vacant property instead of building something new. She asked that the sidewalks be addressed to and from the development through the nearby neighborhoods.

Margaret Lamay, citizen, does not support the project.

Councilman Ford and Burnette believe some effort needs to be made to protect the neighborhood.

Councilman Stiltner asked that the sidewalks be looked at through the neighborhood.

Mayor Green asked that the noise and traffic be considered before second reading. He has heard from citizens who support the project.

Margaret Roberts, City Attorney, asked that the sidewalk improvements, signage along Madeline Avenue, and noise issues be included in the motion. Councilman Ford asked that contact be made to the County regarding the left turn signal.

Vice Mayor Bastian amended the motion to include the sidewalk lighting improvements, signage along Madeline Avenue, and have the noise concern addressed, and Seconded by Councilman Burnette.

Motion as amended carried
unanimously by roll call vote.

6. Final Plat & Plans, Subdivision Variance, Amendment to the Concurrency Fair-Share Agreement and Release of Easement for Hawks Preserve at Port Orange Plantation – Ph. I, Case No. 14-50000006

Penny Cruz, Planner, provided details of the plat and plans for Hawks Preserve at Port Orange Plantation – Ph. 1.

Councilman Stiltner asked for further explanation on the request. Ms. Cruz explained the pedestrian bridge is being proposed rather than a full road connection.

Ms. Roberts provided a map showing the proposed extension of McGinnis Blvd. She advised Council that the approval will need to include a temporary construction easement to complete the full length of McGinnis Blvd.

Motion to approve as presented
including the access point and
temporary construction easement was
made by Vice Mayor Bastian, and
Seconded by Councilman Burnette.

There were no public comments.

Councilman Stiltner asked if the landscaping was mandated by the City and who would be maintaining it. Ms. Cruz said the City did mandate it and it will be the City's responsibility to maintain it.

Councilman Ford agreed with Councilman Stiltner. He would like each item to be tasked to a certain department for maintenance.

Motion carried unanimously by roll call
vote with no public comments.

7. Final Plat & Plans, Subdivision Variance, and Amendment to Concurrency Fair-Share Agreement and Release of Easements for Hawks Preserve at Port Orange Plantation – Ph. II, Case No. 14-50000007

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

Ms. Cruz provided details of the proposed project.

Motion carried unanimously by roll call vote with no public comments.

C. AGENDA APPROVAL

Items pulled: #24.

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

D. BOARD APPOINTMENTS, INTERVIEWS, REPORTS

8. Citizen Advisory Committee for TPO

Bobby Ball provided the report from the Citizen Advisory Committee meeting. Councilman Ford asked if Mr. Ball has discussed the trail plan with City Staff.

9. Environmental Advisory Board Appointment

Motion to re-appoint Phil Klema to the Environmental Advisory Board was made by Councilman Burnette, and Seconded by Councilman Ford. Motion carried unanimously by voice vote.

E. SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

10. Atlantic High School Student Government Day 2015 certificates.

Certificates were presented to the students of the Law and Government Academy of Atlantic High School. These students participated in the mock Student Government Day. Council thanked the students for their involvement.

11. The 2015 Youth Achievement Award winner - Valentina Catinella

Valentina Catinella was presented with the 2015 Youth Achievement Award from the Youth Advisory Board.

12. Civility Month Proclamation

Mayor Green read a proclamation for Civility Month.

13. Second Annual Get Fit Port Orange Health & Fitness Challenge Recognition

Susan Lovallo, Parks & Recreation Director, provided details of the program and recognized the winners. Councilman Ford would like a special commendation for Kristy Brown with the Parks & Recreation Department for her work on the program.

F. CITIZEN PARTICIPATION (Agenda)

14. Vivian Verdi - Water bill issue

Vivian Verdi, citizen, discussed her parents' issue regarding their water bill at 6218 Yellowstone Drive. Councilman Burnette asked that the City Manager discuss the issue with the citizen and provide options. Mr. Harden provided details of the account history.

Mayor Green doesn't see where relief can be provided. Personal responsibility needs to come into play. Mr. Harden said there is no way for Staff to know when a leak starts at this time.

Councilman Burnette doesn't have a problem with adjusting the sewer fees. He doesn't see an option for relief.

Council agreed to hold with past practice and adjust the sewer charges only.

G. CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Scott Webb, citizen, discussed his concerns with Waste Pro's poor service. They are not picking up the garbage timely.

Edwin Miller, General Manager of WaWa opening soon in Port Orange invited all to their grand opening scheduled for June 12, 2015.

Ted Nofall, citizen, asked Ms. Roberts if the public should have had an opportunity to speak regarding item number 14 above. Ms. Roberts advised Mr. Nofall that he can comment on the item now. Mr. Nofall asked when the audit will be complete. Mr. Harden said the Police Pension Plan audit is not complete and they are waiting on it to complete the City's audit. Mr. Nofall asked for the status of the forensic accounting

review. Mr. Harden advised that he met with the auditor on Monday and the report should be complete before May 26, 2015.

Mike Gardner discussed the sale of Hidden Lakes Golf Club in New Smyrna Beach. He believes some things need to be outsourced.

H. COUNCIL COMMENTS

15. Comments/Concerns from Council Members

Councilman Stiltner discussed the Council discussion regarding the March workshop item on the \$25,000 limit with multiple purchases of separate items. He believes Council should re-address the discussion. He believes it will help Staff be more efficient. Mr. Harden said the problem is the fear of running over the \$25,000 inadvertently. He provided some examples of items that would have been handled without Council. Councilman Ford is concerned because there is a lack of internal controls. He has no sense of security on the way money is spent by the City. He wants blanket bids for those services being used by multiple departments that are over \$25,000. He wants the public funds protected. He would be willing to consider this change after there are internal controls in place. Mr. Harden advised that the items that have tripped this issue have been purchased under blanket purchase orders. He advised that the money is tied up because Staff is appropriating more money than may be needed to avoid crossing the threshold. Mayor Green asked to add this topic to an upcoming agenda.

Vice Mayor Bastian advised that Council can't pick and choose the business to come into a specific area.

Councilman Ford doesn't understand the issue with the berm. He believes it would work fine. He asked the City Attorney for information regarding lawsuits against people upstream when flooding occurs. He suggested building a berm all the way to the northern City limit. Ms. Roberts asked for Council consensus regarding the research requested. Council confirmed.

Mayor Green asked for the status of the biometric time clocks. Mr. Harden advised that it is included in the bid for the police and fire time keeping.

I. TABLED ITEMS

16. First Reading - Ordinance No. 2015-18 - Amending City Code Section 2-267 - Waiver of Bidding Requirements (Tabled on May 5, 2015)

Motion to remove Item #16 from the table was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried 4-1 with Councilman Ford voting no.

Mayor Green read Ordinance No. 2015-18.

ORDINANCE NO. 2015-18

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CITY CODE CHAPTER 2, ARTICLE VI, DIVISION 2, SECTION 2-267, ESTABLISHING BIDDING REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2015-18 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Mr. Harden advised there was a change based on Council's discussion on May 5, 2015.

Councilman Ford wants the option to re-consider a contract. He thinks this is a good safeguard. Mr. Harden suggested that a dollar threshold could be added for minor contracts.

Mr. Nofall doesn't understand why Council would support this due to the lack of internal controls.

Mark Schaeffer, citizen, supports Councilman Ford's statements.

Motion carried 4-1 with Councilman Ford voting no.

J. CONSENT AGENDA

17. Approval of Minutes
 - a. April 28, 2015 - Council Workshop
 - b. May 5, 2015 - Regular City Council Meeting
18. Resolution No. 15-21 - Listing Agent Utility Deposits
19. Resolution No. 15-26 - Request to Vacate Right-of-Way - Chamberlin Boulevard, East of Finley Drive
20. Resolution No. 15-28 - LAP Agreement for design of the McDonald Road Sidewalk.
21. Resolution No. 15-30 - Easement Vacation - Lot 1, Block 24, Dunlawton Subdivision; 1040 Herbert Street
22. Memorandum of Understanding - Methamphetamine Clandestine Drug Laboratory Wastes Central Storage Program
23. Right-of-way License Agreement – Lot 5, Sunrise Oaks PUD, Phase I; 3733 Sunrise Oaks Drive

24. Change Order No 2 and Final Payment to Masci Corporation for South Atlantic/Ridgewood Avenue Water Main Adjustments
25. Updated Phasing Agreement for United Methodist Church of Port Orange, 305 Dunlawton Avenue.
26. Reports
 - a. April 2015 Project Manager's Report
 - b. Stormwater Maintenance Progress
 - c. Crime Report
 - d. 2015 Citizen Survey Report

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

Item #24 - Change Order No 2 and Final Payment to Masci Corporation for South Atlantic/Ridgewood Avenue Water Main Adjustments

Andy Neff, Public Utilities Director, provided details of the project and final change order as listed in the agenda item materials.

Councilman Ford asked if Mr. Neff is confident in the audit of the project. Mr. Neff said yes, he is confident in it.

Councilman Burnette thanked Mr. Neff for the presentation and information provided in the agenda packet.

Mr. Gardner asked why the City paid \$27,000 when part A was cancelled. He asked if Masci is threatening litigation. Mr. Harden advised that litigation was mentioned but not threatened. Mr. Neff advised that the \$27,000 covered work that was started along Atlantic Avenue before it was stopped.

Mr. Nofall asked what parts of the contract were in dispute by the contractor. Mr. Harden advised that the contractor claimed there was more money due than Staff believed, specifically mobilization and de-mobilization costs, which Staff does not believe are due under the contract.

Motion to approve item #24 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

K. REGULAR AGENDA

27. Co-Sponsorship/Club Exchange Agreements Policy

Ms. Lovallo asked Council for policy direction regarding accepting donations and entering into agreements with clubs. Past practice has been a waiver of fees for donations received.

Council sees the benefit of the donations and agreements but wants to work through the logistics in a workshop.

28. Discussion on Palmer College Lease Agreement

Alan Rosen, Interim Assistant City Manager, advised Council that Palmer College would like to extend the lease to 2025 or enter into an option to purchase.

Council agreed to consider a lease extension until 2025.

Peter Martin, President of Palmer College, advised that they are asking for an extension in the lease and an option to purchase.

29. Halifax Paving Lake Excavation Contract - Progress Report Update

Mr. Neff provided details of the work being done by Halifax Paving on the lake excavation. The excavation is moving along better than at the start of the project.

Tad Durrance, Halifax Paving, is confident with the excavation and believes they will complete the project as agreed.

30. First Reading - Ordinance No. 2015-7 - Amending Fire and Rescue Pension Fund

Mayor Green read Ordinance No. 2015-7.

ORDINANCE NO. 2015-7

AN ORDINANCE OF THE CITY OF FORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 54, PERSONNEL, ARTICLE IV, FIRE AND RESCUE PENSION FUND, OF THE CODE OF ORDINANCES OF THE CITY OF PORT ORANGE; AMENDING SECTION 54-77, DEFINITIONS; AMENDING SECTION 54-91, MAXIMUM PENSION; AMENDING SECTION 54-102, PRIOR FIRE SERVICE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

Ms. Roberts advised that the Ordinance provided in the packet has been changed slightly. She provided details of the changes.

Motion to adopt Ordinance No. 2015-7
on first reading was made by Vice
Mayor Bastian and Seconded by
Councilman Burnette. Motion carried
unanimously by roll call vote after no
public comments.

31. First Reading - Ordinance No. 2015-20 - Amending Police Pension Fund
for Internal Revenue Code Compliance

Mayor Green read Ordinance No. 2015-20.

ORDINANCE NO. 2015-20

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA, AMENDING THE CITY OF PORT ORANGE
POLICE PENSION FUND TO PROVIDE FOR COMPLIANCE
WITH SECTION 401(a) OF THE INTERNAL REVENUE CODE BY
AMENDING SECTION 54-139(a)(14), INTERNAL REVENUE
CODE COMPLIANCE; PROVIDING FOR CODIFICATION;
PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;
PROVIDING FOR SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-20
on first reading was made by Vice
Mayor Bastian and Seconded by
Councilman Burnette.

Mr. Nofall asked what happens if this is not approved. Ms. Roberts advised that it
jeopardizes the pension plan because it will not be in compliance with the IRS.

Motion carried unanimously by roll call
vote.

32. First Reading - Ordinance No. 2015-21 - Amending City Code Section 18-
230(5) to allow wrecker storage business within a seven-mile instead of five-mile radius
of the City

Mayor Green read Ordinance No. 2015-21.

ORDINANCE NO. 2015-21

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING SECTION 18-230 RELATING TO LOCATION OF WRECKER SERVICE PROVIDER IN RELATION TO CITY LIMITS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-21 on first reading was made by Vice Mayor Bastian and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote after no public comments.

33. First Reading - Ordinance No. 2015-22 - Amending Sex Offender Residency Restriction

Mayor Green read Ordinance No. 2015-22.

ORDINANCE NO. 2015-22

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING SECTION 46-63 RELATING TO SEX OFFENDER RESIDENCY RESTRICTION; AMENDING SECTION 46-64 RELATING TO EXCEPTIONS TO THE SEX OFFENDER RESIDENCY RESTRICTION; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-22 on first reading was made by Vice Mayor Bastian and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote after no public comments.

34. First Reading - Ordinance No. 2015-23 - Amending Chapter 2, Sections 2-295 and 2-296, of the City Code relating to the capital budget

Mayor Green read Ordinance No. 2015-23.

ORDINANCE NO. 2015-23

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING SECTION 2-295 OF THE CODE OF ORDINANCES RELATING TO CAPITAL BUDGET; AMENDING SECTION 2-296 RELATING TO COUNCIL ACTION ON CAPITAL BUDGET; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2015-23
on first reading was made by Vice
Mayor Bastian and Seconded by
Councilman Burnette.

Mr. Rosen advised Council of the proposed change to promote efficiency.

Councilman Burnette is concerned with spending money on items that may not be necessary if the capital budget is prepared after the income amounts are provided.

Councilman Ford doesn't support the change because he needs more time to review the budgets.

Mayor Green likes the way it has been handled.

Mr. Harden advised Council the capital budget is essentially complete at this time but it is useless. He will be providing a totally different presentation.

Motion failed 1-4 by roll call vote with
Vice Mayor Bastian voting yes.

35. City Attorney's Performance Review

Councilman Stiltner asked for the process. Ms. Roberts said there is no formal process. Councilman Stiltner would prefer to have a scoring process laid out so they are all scoring in the same way. He has had good response from the City Attorney's Office. The Staff is professional. He is concerned with the timeliness of documents coming from the City Attorney's Office.

Vice Mayor Bastian agreed. He found forms on the internet for rating. He has had nothing but positive experiences with the City Attorney's Office. He is also concerned with the speed of completion of documents requested.

Councilman Burnette would like to see something standardized so that the review can be done every May. His concern with the City Attorney's Office is the structure. He would like another attorney in the office rather than paralegals.

Councilman Ford doesn't believe things can continue as they are now in the City Attorney's Office. He believes the office is becoming a bottleneck. He agreed to re-structure the office. He wants it to be more efficient. Priorities need to be set by Council for the Attorney's Office.

Mayor Green believes he receives good, sound legal advice. He would like an organizational chart. Ms. Roberts will bring further information back.

L. COMMENTS

36. City Attorney Comments

Ms. Roberts advised that she will be getting an intern free of charge for six (6) weeks; however, Molly Siebrecht is leaving on May 22, 2015. She expects further growth in Port Orange and suggested Council review the structure. She discussed options for claim of lien recovery processing. She asked Council to consider writing off some amounts that come up during the lien search process.

Councilman Ford wants to review the options before making a decision. He likes the thought process and wants to move in this direction.

Ms. Roberts advised that the residents of 6068 Spruce Point are interested in option 3 as presented but she needs Council to approve it. Council agreed.

Councilman Burnette supports the proposal but wants it on an agenda to be discussed thoroughly.

37. Interim City Manager Comments

Mr. Harden congratulated Robin Fenwick, City Clerk, on receiving her Bachelor's Degree recently.

The Audit will be provided on June 2, 2015 in draft form if the Police Pension information is not complete.

M. COUNCIL COMMITTEE REPORTS

38. City Council Committee Reports

- a. Library Advisory - Meeting held 5/7/15 – Vice Mayor Bastian did not attend but was advised that the Library is still around number two in check outs. Summer programs are gearing up.
- b. Volusia League of Cities – Mayor Green advised of the dinner on June 4, 2015.
- c. ArtHaus – Councilman Burnette reported that summer class sign-ups are on-going. Fun and Funky dinner didn't raise as much as budgeted.

- d. Port Orange/South Daytona Chamber of Commerce – Councilman Burnette reported that the Business Expo is on Thursday, May 21, 2015.
- e. Roundtable of Volusia County Elected Officials – Mayor Green did not attend.

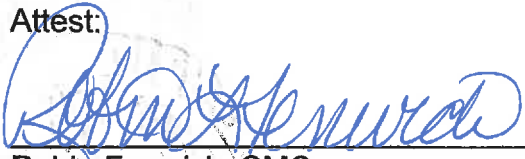
Ms. Fenwick asked Council to schedule a Shade meeting. Council agreed to Tuesday May 26, 2015 at 5:15 p.m.

ADJOURNMENT: 10:28 p.m.



Mayor Allen Green

Attest:



Robin Fenwick, CMC
City Clerk