

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
OCTOBER 20, 2020

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

Invocation by Pastor Tom Nelson of First United Methodist Church

Pledge of Allegiance

Roll Call

Present:

Council Member Marilyn Ford
Council Member Chase Tramont
Council Member Scott Stiltner
Vice Mayor Drew Bastian
Mayor Donald Burnette

Also Present:

Acting City Manager Jamie Miller
City Attorney Matthew Jones
City Clerk Robin Fenwick

PROCLAMATIONS

4. Florida City Government Week Proclamation

Mayor Don Burnette read the proclamation for Florida City Government Week.

CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only

Derek LaMontagne, citizen, spoke on Item 8(a) and asked Council to consider reducing the chemicals being used.

6. Agenda Approval

There were no changes requested by Council.

Motion to approve was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by voice vote.

7. Approval of Minutes

a. October 6, 2020 - Regular City Council Meeting

8. Bid Awards and Contract Items

a. Intent to Award ITB #20-17 to G&G Outdoors, LLC for Landscape Maintenance Services for Police Dept. Shooting Range

9. Resolution No. 20-58 - Rate Adjustment for PD Special Details

10. Resolution No. 20-59 - Approving the Conveyance of a Parcel of Land Adjacent to McDonald Road and Releasing the Associated Easement through a Quit Claim Deed

11. Approval of Minor Special Event – Christmas Tree Sales at Dunlawton Square Shopping Center located at 3813 Nova Road

Motion to approve the Consent Agenda as presented was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

CITIZEN PARTICIPATION (Agenda)

12. Derek LaMontagne - Supporting Volusia Forever and Smarter Growth Management

Derek LaMontagne, citizen, spoke regarding Volusia Forever and asked the public to support the program.

13. Debbie Darino - Proposed revisions to the City's animal code

Debbie Darino, citizen, provided details relating to the proposed revisions to the City's animal code. She encouraged Council to update the City's ordinances relating to tethering and proper shelter.

Mayor Don Burnette asked the City Attorney to prepare the ordinances as requested for council consideration on a future agenda.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

There were no comments.

COUNCIL COMMENTS

14. Comments/Concerns from Council Members

Council Member Chase Tramont supported the animal code ordinance updates.

Mayor Don Burnette reminded all that early voting started yesterday and there is an early voting site in Port Orange this year.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

15. Citizen Advisory Committee for TPO

Bobby Ball, CAC member, was unable to attend the CAC meeting. He will provide the written minutes via email.

PUBLIC HEARING

16. Second Reading - Ordinance No. 2020-30 - Rezoning/4116 Nova Road

Mayor Don Burnette read Ordinance No. 2020-30.

ORDINANCE NO. 2020-30

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +9.68 ACRES FROM FLOOD-PLAIN CONSERVATION (F-C) TO COMMERCIAL INDUSTRIAL (CI); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2020-30 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried 3-2 by roll call vote with Council Member Scott Stiltner and Vice Mayor Drew Bastian voting no.

17. First Reading - Ordinance No. 2020-34 - 20-2 Large Scale Future Land Use Amendment/3835 Clyde Morris Boulevard (Osprey Point Apartments)

Mayor Don Burnette read Ordinance No. 2020-34

ORDINANCE NO. 2020-34

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE DESIGNATION FOR +35 ACRES FROM OFFICE/RESIDENTIAL TRANSITION AND COMMERCIAL TO URBAN HIGH DENSITY RESIDENTIAL (8-16 UNITS/ACRE) FOR PROPERTY GENERALLY LOCATED ALONG CLYDE MORRIS BOULEVARD, SOUTH OF MADELINE AVENUE, BETWEEN CLYDE MORRIS BOULEVARD AND BRUNER ROAD; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2020-34 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott

Stiltner.

Penelope Cruz, Planning Manager, requested Council open Item #18 to be discussed with this item. Council agreed. Mrs. Cruz provided details of the applications.

Jeff Brock, Attorney for Applicant, advised the developer has removed the entrance on Bruner Road. He also discussed other concerns raised by neighbors in the neighborhood meeting to include traffic, sidewalks, and density.

Council expressed some concerns and asked questions relating to traffic in and out, as well as drainage concerns.

Robert Reinhausen, citizen, would like Council to identify where the other commercial spaces will be in accordance with the Policy. Mrs. Cruz explained the changes as to commercial spaces.

City Clerk Robin Fenwick read the comments submitted by Wayne & Carol Smith in opposition to the project.

Mr. LaMontagne asked what would be around the ponds. He's worried about runoff and asked the developer to consider the environmental impacts of mowing to close to the pond.

A conservation easement for the approximately 1.29-acre area where a building was removed will be preserved and a 2' wide non-vehicular access easement along Bruner Rd/property boundary will be brought forward during second reading.

Motion carried 3-2 by roll call vote with
Council Member Scott Stiltner and Mayor
Don Burnette voting no.

18. First Reading - Ordinance No. 2020-35 - Rezoning/3835 Clyde Morris Boulevard (Osprey Pointe Apartments)

Mayor Don Burnette read Ordinance No. 2020-35.

ORDINANCE NO. 2020-35

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +35 ACRES FROM PLANNED UNIT DEVELOPMENT (PUD) TO MODERATE DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (R-3M); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2020-35
was made by Vice Mayor Drew Bastian

and Seconded by Council Member Scott Stiltner. Motion carried 3-2 by roll call vote with Council Member Scott Stiltner and Mayor Don Burnette voting no.

19. First Reading - Ordinance No. 2020-36 - LDC Amendment/Chapter 3 - Neighborhood Meetings (Case No. 20-25000006)

Mayor Don Burnette read Ordinance No. 2020-36.

ORDINANCE NO. 2020-36

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE CHAPTER 3, ARTICLE I RELATING TO CODE ADMINISTRATION ESTABLISHING REGULATIONS FOR NEIGHBORHOOD MEETINGS TO BE PART OF THE DEVELOPMENT REVIEW PROCESS FOR SPECIFIC DEVELOPMENT APPLICATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2020-36 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

Mrs. Cruz spoke as to the change in the code to require neighborhood meetings for specific new develops.

Motion carried 4-1 by roll call vote with Council Member Chase Tramont voting no.

REGULAR AGENDA

20. First Reading - Ordinance No. 2020-37 - Amending Chapter 54, Article V, Police Pension Fund, Section 54-139, Internal Revenue Code Compliance

Mayor Don Burnette read Ordinance No. 2020-37.

ORDINANCE NO. 2020-37

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 54, ARTICLE V, POLICE PENSION FUND, SECTION 54-139, INTERNAL REVENUE CODE COMPLIANCE, TO PROVIDE FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR

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

Motion to adopt Ordinance No. 2020-37 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

21. City Attorney

There was nothing further.

22. City Manager

Jamie Miller, Acting City Manager, provided details on the upcoming City holiday events, including Trunk or Treat and Christmas events, including a virtual tree lighting ceremony.

COUNCIL COMMITTEE REPORTS

23. City Council Committee Reports

- a. First Step Shelter - Council Member Chase Tramont provided information on the Safe Zone.
- b. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette provided information on upcoming events.
- c. Roundtable of Elected Officials - Mayor Don Burnette provided information from their recent meeting.

ADJOURNMENT – 8:16 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk