

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
DECEMBER 1, 2020

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Donald O. Burnette at 7:00 p.m.

Invocation by Pastor Scott Kirschner of Christ the King Community Church

Pledge of Allegiance

Swearing-In Ceremony by Judge Chris Kelly

Roll Call	Present:	Council Member Marilyn Ford Council Member Chase Tramont Council Member Scott Stiltner Vice Mayor Drew Bastian Mayor Donald Burnette
	Also Present:	Assistant City Manager Alan Rosen City Attorney Matthew Jones Assistant City Clerk Shelby Field

5. Election of Vice Mayor

Move to nominate Council Member Scott Stiltner as Vice Mayor for 2021 was made by Council Member Chase Tramont and Seconded by Council Member Marilyn Ford.

Move to re-nominate Council Member Drew Bastian as Vice Mayor for 2021 was made by Council Member Scott Stiltner and Seconded by Council Member Chase Tramont.

Council Member Scott Stiltner declined the nomination.

Motion withdrawn by Council Member Chase Tramont and Second withdrawn by Council Member Marilyn Ford.

Motion carried unanimously by voice vote.

6. Appointments to Council Committees for 2021

Council Members are assigned to each committee as follows for 2020:

ArtHaus – Council Member Marilyn Ford
General Employees Retirement Trust Fund – Council Member Scott Stiltner
River to Sea Transportation Planning Organization – Council Member Scott Stiltner
Municipal Firefighters Pension Board – Council Member Marilyn Ford
Municipal Police Officers Retirement Trust – Council Member Drew Bastian
Port Orange-South Daytona Chamber of Commerce – Mayor Don Burnette
Roundtable of Elected Officials - Mayor Don Burnette
First Step - Council Member Chase Tramont

There were no changes to the committee assignments for 2021.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

7. Awards ceremony for Police Department

Thomas Grimaldi, Police Chief, presented awards to Police Department staff, as well as citizens.

TOWN CENTER CRA & CITY COUNCIL JOINT MEETING

City Council recessed at 7:20 p.m. to hold the Joint Meeting with the Town Center CRA, minutes of which are under separate cover.

CONSENT AGENDA

8. Public Comments on Consent Agenda Items Only

There were no public comments.

9. Agenda Approval

Motion to pull item #14 from the Consent Agenda was made by Council Member Marilyn Ford and Seconded by Council Member Chase Tramont.

Motion to approve the agenda as amended was made by Council Member Chase Tramont and Seconded by Vice Mayor Drew Bastian. Motion carried unanimously by voice vote.

10. Approval of Minutes

a. November 17, 2020 - Regular City Council Meeting

Regular City Council Meeting

December 1, 2020

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11. Approval of the 2021 City Council Meeting Calendar
12. Adoption of the 2021 Public Hearing and Development Review Calendars
13. Resolution No. 20-60 - Approval of Comprehensive Emergency Management

Plan

14. Resolution No. 20-68 - Authorization for Mayor and City Manager to sign TD Bank Signature Form
15. City Attorney's Report for Potential Special Legal Counsel during FY2021

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

Item #14 - Resolution No. 20-68 - Authorization for Mayor and City Manager to sign TD Bank Signature Form

Council Member Ford expressed concerns with the authorization for City Manager to sign with the changing of the City Manager soon. Matt Jones, City Attorney, discussed steps taken to address this concern.

Motion to approve item #14 was made by Vice Mayor Drew Bastian and Seconded by Council Member Chase Tramont. Motion carried unanimously by roll call vote.

BOARD APPOINTMENTS

16. Fire Pension Board Appointment

Motion to nominate Jim Reardon to serve another term on the Fire Pension Board was made by Council Member Marilyn Ford and Seconded by Vice Mayor Drew Bastian. Motion carried unanimously by voice vote.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

There were none.

COUNCIL COMMENTS

17. Comments/Concerns from Council Members

Council Members congratulated both Vice Mayor Drew Bastian and Mayor Don Burnette on swearing in for an additional four years.

PUBLIC HEARING

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

19. Second Reading - Ordinance No. 2020-35 - Rezoning/3835 Clyde Morris Boulevard (Osprey Point Apartments)

Mayor Don Burnette announced Items #18 and #19 need to be continued to a time certain of December 15, 2020 due to publishing issues.

Motion to continue items #18 and #19 was made by Vice Mayor Drew Bastian and Seconded by Council Member Chase Tramont. Motion carried unanimously by voice vote.

20. Second Reading - Ordinance No. 2020-38 - Animal Control Ordinance Amendment - Re: Adequate Shelter and Anti-tethering

Mayor Don Burnette read Ordinance No. 2020-38.

ORDINANCE NO. 2020-38

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 10, SECTION 10-3, CODE OF ORDINANCES, TO ADD DEFINITIONS FOR "ADEQUATE FOOD", "ADEQUATE WATER", AND "ADEQUATE SHELTER"; AMENDING CHAPTER 10 TO ADD REGULATIONS RELATED TO TETHERING DOGS OR CATS TO STATIONARY OBJECTS WHILE OUTDOORS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to amend Ordinance No. 2020-38 regarding the definition of adequate shelter was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

Motion to adopt Ordinance No. 2020-38 as amended was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

Council Member Marilyn Ford spoke against the revision to the language due to difficulty of enforcement.

Debbie Darino, citizen, spoke in favor of the language change for adequate shelter to make it more consistent with other cities.

Motion to amend Ordinance No. 2020-38 regarding the definition of adequate shelter carried 4-1 by roll call vote with Council Member Marilyn Ford voting no.

Motion to adopt Ordinance No. 2020-38 as amended carried unanimously by roll call vote.

REGULAR AGENDA

21. Discussion on Interim City Manager Compensation

Jamie Miller, Administrative Services Director, asked Council to discuss the need and their desire for increased compensation for Alan Rosen to serve as Interim City Manager.

Discussion was held regarding increased compensation, start date of said compensation and length thereof.

Motion to grant a 5% compensation increase effective December 12, 2020 and lasting for the duration of his service as interim City Manager was made by Vice Mayor Drew Bastian and Seconded by Scott Stiltner. Motion carried unanimously by roll call vote.

22. Discussion of YMCA Rent Deferral Agreement

Alan Rosen, Assistant City Manager, provided information on the options provided to Council.

Chris Seilkop, YMCA, provided a breakdown of what services the YMCA offers, what makes money and what loses them money and what they can do with the City. Mr. Seilkop answered questions from Council.

Robert Reinhausen, citizen, doesn't believe the City should be a landlord at all, but if so, should get a market rate of return on investment. He doesn't believe the City should support a religious organization. He is against any reduction of rent and would like to see Parks and Recreation take over operations of the facility.

Council Member Chase Tramont, Council Member Marilyn Ford and Mayor Don Burnette would like to see a lease amendment come forward for a 6-month time period at 50% reduction. Council Member Scott Stiltner and Vice Mayor Drew Bastian would like to see no change in the current lease agreement.

ADDITIONAL ITEMS

23. City Attorney

Mr. Jones stated the City is ready to move forward with the first of three meetings for a panhandling ordinance. He asked for a Special Meeting December 8, 2020 at 6:30pm. Council agreed.

24. City Manager

Mr. Rosen provided an update on the RFP for City Manager search which closes on December 10, 2020. A list of applicants will be provided to Council December 15, 2020.

Mr. Rosen asked when Council would like an update on transport. Vice Mayor Bastian would like it on December 15, 2020.

Mayor Burnette presented Jake Johansson, City Manager, with a certificate of recognition for his time served with the City. Mr. Johansson thanked everyone.

COUNCIL COMMITTEE REPORTS

25. City Council Committee Reports

a. Fire Pension Board (Meeting held 11/16/2020) – Council Member Marilyn Ford provided details from their recent meeting.

b. Police Pension Board (Meeting held on 11/19/2020) – Vice Mayor Drew Bastian provided details from their recent meeting.

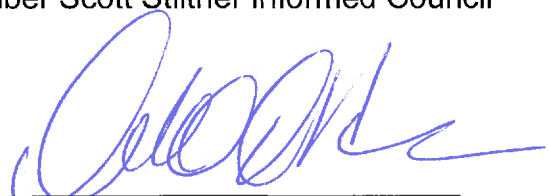
c. River to Sea TPO – Council Member Scott Stiltner informed Council their last meeting was cancelled.

ADJOURNMENT – 9:24 p.m.

Attest:



Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette