

SPECIAL CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
FEBRUARY 9, 2021

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

Silent Invocation

Pledge of Allegiance

Roll Call	Present:	Interim Council Member Jonathan Foley Council Member Chase Tramont Council Member Scott Stiltner Vice Mayor Drew Bastian Mayor Donald Burnette
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Also Present:	Interim City Manager Jamie Miller City Attorney Matthew Jones City Clerk Robin Fenwick
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DISCUSSION / ACTION

4. Second Reading - Ordinance No. 2021-5 - Panhandling

Mayor Don Burnette read Ordinance No. 2021-5.

ORDINANCE NO. 2021-5

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES TO CREATE ARTICLE V; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROHIBITED CONDUCT, PROXIMITY AND LOCATION RESTRICTIONS FOR PANHANDLING, SOLICITATION, OR BEGGING; PROVIDING FOR PENALTIES; REPEALING SECTION 18-122 PROHIBITING BEGGING; REPEALING DIVISION 3 OF CHAPTER 18, ARTICLE VI REGULATING CHARITABLE AND RELIGIOUS SOLICITATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-5 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

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Mayor Don Burnette discussed the specific nature of this ordinance and thanked staff and Michael Kahn, Legal Counsel, for their work.

Matthew Jones, City Attorney, stated Council received a letter from the Volusia/Flagler ACLU representative and asked Mr. Kahn to respond.

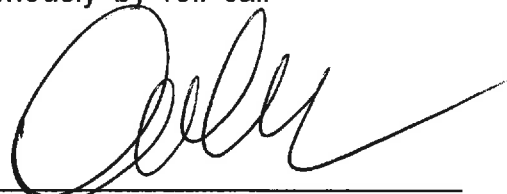
Mr. Kahn explained the ordinance targets aggressive panhandling only. It does not stop panhandling in the City of Port Orange. Panhandling will still be allowed in 96.25% of the City. It also does not target or address homelessness in the City of Port Orange.

Council Member Chase Tramont responded to the ACLU letter and again stated this ordinance is not targeting homelessness but rather aggressive panhandling.

Jim Cameron, Robert Reinhausen, and Debbie Parker spoke regarding their support, questions, and concerns on the ordinance.

Motion carried unanimously by roll call vote.

ADJOURNMENT - 6:11 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk