

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
AUGUST 17, 2021

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.

Silent Invocation was held as Rev. Glenn Rice of Port Orange United Church of Christ was unable to attend the meeting.

Pledge of Allegiance

Roll Call	Present:	Council Member Jonathan Foley Council Member Scott Stiltner Vice Mayor Drew Bastian Mayor Donald Burnette
	Absent:	Council Member Chase Tramont (excused)
	Also Present:	City Manager Wayne Clark City Attorney Matthew Jones City Clerk Robin Fenwick

Mayor Don Burnette discussed the absence of Council Member Chase Tramont and advised that he may be out for several meetings while he recovers. There were no objections.

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were no public comments.

5. Agenda Approval

There were no changes requested by Council.

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

6. Approval of Minutes

a. August 3, 2021 - Regular City Council Meeting

7. Resolution No. 21-29 - Budget Appropriation to Transfer Funds from General Fund Operating Fund to Fund 317 for various Police Department Capital Items

8. Approval of Minor Special Event for the First United Methodist Church (305 Dunlawton Avenue) Annual Pumpkin Patch and Fall Festival Events
9. Approval of Florida Power & Light Electric Easement - Skeet Club on Pioneer Trail
10. Approval of Amendment No. 1 to City Attorney Employment Contract

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

CITIZEN PARTICIPATION (Agenda)

11. Update from the Conklin Davis Center for the Visually Impaired

Nancy Epps, Secretary for Conklin Davis Center for the Visually Impaired, and CEO, Ronee David, provided an update on the projects happening at the Center.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

There was none.

COUNCIL COMMENTS

12. Comments/Concerns from Council Members

Council Member Scott Stiltner spoke regarding the loss of Sgt. Justin White of the Port Orange Police Department. He thanked everyone who has supported the White family, Port Orange Police Department, and the City.

Council took a short recess at 7:04 p.m. and reconvened at 7:11 p.m.

Vice Mayor Drew Bastian suggested rescheduling the Town Hall Meeting set for August 19th. Council discussed the logistics discussed with Staff and the idea of holding it in cooler months where the outdoor areas could be utilized. Council agreed to postpone the Town Hall meeting for 60-90 days or when the COVID numbers start to decline.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

13. Citizen Advisory Committee for TPO

Bobby Ball, citizen, provided an update from the recently held meeting.

14. Appointment of Ten (10) Members to the Districting Commission

Mayor Don Burnette asked each Council Member present to nominate two applicants to serve on the Districting Commission as well as two additional applicants to create a ten-member commission as required.

Council Member Jonathan Foley nominated Kristine Cunningham, John Junco, and Bobby Ball.

Council Member Scott Stiltner nominated Lance Green, Tom Jordan, and Newton White.

Vice Mayor Drew Bastian nominated Stan Schmidt and Debbie Connors.

Mayor Don Burnette nominated Ray Donadio and Marilyn Strout.

Motion to appoint those applicants as listed above was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

Discussion was held regarding the appointment of alternates. Matt Jones, City Attorney advised against it. Should a member need to withdraw, a new member can be appointed at that time. Mr. Jones also explained the need to schedule the Commission's organizational meeting to be held within ten days of appointment.

Motion to hold the organizational meeting of the Districting Commission on Wednesday, August 25, 2021 at 6:00 p.m. was made by Council Member Jonathan Foley and Seconded by Council Member Scott Stiltner. Motion carried unanimously by voice vote.

Robin Fenwick, City Clerk, will coordinate the meeting location and ensure all members are notified.

PUBLIC HEARING

15. First Reading - Ordinance No. 2021-20 - Seventh Amendment to the Bennett's Hammock Master Development Agreement and Conceptual Development Plan

Mayor Don Burnette read Ordinance No. 2021-20.

ORDINANCE NO. 2021-20

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE SEVENTH AMENDMENT

TO THE BENNETT'S HAMMOCK A PLANNED UNIT DEVELOPMENT (PUD) MASTER DEVELOPMENT AGREEMENT AND THE CONCEPTUAL DEVELOPMENT PLAN (CDP); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-20 was made by Vice Mayor Drew Bastian and Seconded by Council Member Jonathan Foley.

Penelope Cruz, Planning Manager, provided details of the amendment being requested.

Motion carried unanimously by roll call vote.

16. First Reading - Ordinance No. 2021-21 - Third Amendment to the Riverwalk Amended and Restated Master Development Agreement (Case No. 21-40000001)

Mayor Don Burnette read Ordinance No. 2021-21.

ORDINANCE NO. 2021-21

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE RIVERWALK AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT (MDA); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-21 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

Tim Burman, Community Development Director, spoke regarding the extension being requested.

Jeff Brock, Attorney for Applicant, spoke regarding the construction delays and the time requested for completion. They are working to complete the project sooner rather than later.

Motion carried unanimously by roll call vote.

17. First Reading - Ordinance No. 2021-19 - Code of Ordinance Amendment
Chapters 18 and 58 - Sidewalk Sales and Special Events

Mayor Don Burnette read Ordinance No. 2021-19.

ORDINANCE NO. 2021-19

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING CHAPTER 18, ARTICLE IV, CLARIFYING WHAT IS A SIDEWALK SALES EVENT AND PROXIMITY REQUIREMENTS TO BUSINESS; AND CHAPTER 58, ARTICLE III, MODIFYING CRITERIA FOR MAJOR SPECIAL EVENTS AND ADDING REQUIREMENTS TO PERMIT NEIGHBORHOOD BLOCK PARTIES AS MINOR SPECIAL EVENTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-19
was made by Vice Mayor Drew Bastian
and Seconded by Council Member Scott
Stiltner.

Mrs. Cruz spoke regarding the changes being requested which are mostly clean up in nature.

Motion carried unanimously by roll call
vote.

18. Discussion item on Legislative Priorities

Jamie Miller, Interim Deputy City Manager, presented possible priorities for legislative appropriation and requested discussion and feedback from Council. Staff will continue to work with Pittman Law Group as the City's lobbyist on the requests to be presented to the legislatures.

Mayor Don Burnette spoke regarding his discussion with Senator Leek.

Projects to include:

- North Commonwealth water main replacement
- Water & sewer system river crossing
- Any other infrastructure and transportation projects.

Council wants to see projects remain on the list that are of high priority to the Governor.

ADDITIONAL ITEMS

19. City Attorney - There was nothing further.

20. City Manager - Reminder of the opening session of Port Orange University on Monday at 6:00 p.m.

COUNCIL COMMITTEE REPORTS

21. City Council Committee Reports

- a. ArtHaus - Council Member Chase Tramont was not in attendance.
- b. First Step Shelter - Council Member Chase Tramont was not in attendance.
- c. River to Sea TPO - Council Member Scott Stiltner provided information from the meeting.
- d. General Employees' Pension Plan - Nothing new to report.
- e. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette provided details of the upcoming events.
- f. Roundtable of Elected Officials - There was no meeting in August.

ADJOURNMENT - 8:34 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk

