

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
SEPTEMBER 7, 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.

Invocation by Pastor Rebecca Hyvonen of Cross Creek Community Church

Pledge of Allegiance

Roll Call	Present:	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:	City Manager Wayne Clark City Attorney Matthew Jones City Clerk Robin Fenwick
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Matt Jones, City Attorney, recommended a motion by Council to approve the virtual attendance and participation of Council Member Stiltner due to illness.

Motion to approve was made by Council Member Chase Tramont and Seconded by Council Member Jonathan Foley. Motion carried unanimously by voice vote.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

4. Childhood Cancer Awareness Month

Mayor Don Burnette read and presented a proclamation for Childhood Cancer Awareness Month.

CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only

There were none.

6. Agenda Approval

There were no changes requested by Council.

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

7. Approval of Minutes
 - a. August 15, 2021 - Special City Council Meeting
 - b. August 17, 2021 - Regular City Council Meeting
 - c. August 24, 2021 - City Council Special Meeting
8. Bid Awards and Contract Items
 - a. Intent to Award ITB 21-10 Canal View Runoff Management and Guardrail Repairs
 - b. Intent to Award ITB 21-20 Repair and Resurface Samms Avenue
 - c. Renewal of worker's compensation, property, auto, liability and surplus lines of insurance through Preferred Government Insurance Trust (PGIT) for FY22
 - d. Approval of Task Authorization No 18 (CA4621) with Kimley-Horn and Associates Inc. for the Replacement of the Water Main Crossing Halifax River Project.
 - e. Approval of the Annual Service and Trap Neuter Release (TNR) Agreement with Halifax Humane Society (HHS)
 - f. Approval of Task Authorization No. 34 with Mead and Hunt for the Water Reclamation Facility Filter Rehabilitation Project
9. Resolution No. 21-34 - Appropriation for Purchase of 72 RXV Elite Golf Carts
10. Resolution No. 21-35 - Appropriation for Cypress Head Roof Repairs
11. Approval of revised Sabal Creek Traffic Enforcement Agreement (TEA)
12. Approval of Major Special Event Request – Lighthouse Loop Half Marathon & 5K

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

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

Darlene Kochendoerfer, citizen, spoke regarding the TNR program.

Laurie Friend, citizen, spoke regarding Distracted Driver Awareness Month this month.

COUNCIL COMMENTS

13. Comments/Concerns from Council Members

Council Members welcomed Council Chase Tramont back.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

14. Planning Commission Appointments (x3)

Motion to nominate John Junco, Maria Mills-Benat, and Newton White to the Planning Commission was made by Vice Mayor Drew Bastian and Seconded by Council Member Jonathan Foley. Motion carried unanimously by voice vote.

PUBLIC HEARING

15. Second 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 Jonathan Foley. Motion carried unanimously by roll call vote.

16. Second 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.

April Blowers, citizen, spoke regarding the neighborhood meetings held and said they are happy with the changes. She asked the City to consider reducing the speed limit and/or adding speed bumps.

Motion carried unanimously by roll call
vote.

17. Approval of the Final Plat & Plans, Subdivision Variance, and Proportionate Fair-Share Agreement for the Woodhaven Subdivision, Phase 2 (Case No. 21-50000001)

Motion to approve as presented was
made by Vice Mayor Drew Bastian and
Seconded by Council Member Jonathan
Foley.

Penelope Cruz, Planning Manager, spoke regarding the changes being requested, as well as the subdivision variance being requested for curbside pick up as was done in 2017 for Phase I.

Dick Smith, ICI Homes, spoke regarding the project.

Motion carried unanimously by roll call
vote.

REGULAR AGENDA

18. First Reading - Ordinance No. 2021-22 - Port Orange Communications in Rights-of-Way Amendment

Mayor Don Burnette read Ordinance No. 2021-22.

ORDINANCE NO. 2021-22

AN ORDINANCE OF THE CITY OF PORT ORANGE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF PORT ORANGE BY AMENDING CHAPTER 58, ARTICLE IV, SECTIONS 58-70 – 58-80, KNOWN AS THE "PORT ORANGE COMMUNICATIONS RIGHTS-OF-WAY ORDINANCE;" PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR BONDS; PROVIDING FOR CONSTRUCTION METHODS; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-22
was made by Vice Mayor Drew Bastian
and Seconded by Council Member
Jonathan Foley.

Mr. Jones provided details of this amendment.

Robert Reinhagen, citizen, spoke regarding his concerns on the bond requirement.

Motion carried 4-1 by roll call vote with
Mayor Don Burnette voting no.

ADDITIONAL ITEMS

19. City Attorney

There was nothing further.

20. City Manager

There was nothing further.

Regular City Council Meeting

September 7, 2021

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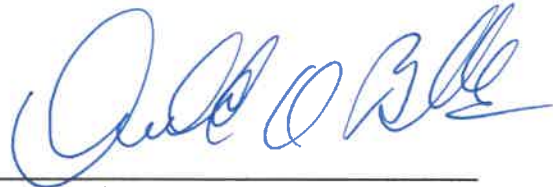
COUNCIL COMMITTEE REPORTS

21. City Council Committee Reports

a. River to Sea TPO - Council Member Scott Stiltner provided details from their recent meeting.

b. Fire Pension Board - Council Member Jonathan Foley provided details from their recent meeting.

ADJOURNMENT - 7:20 p.m.



Mayor Donald O. Burnette

Attest.



Robin Fenwick, MMC
City Clerk

